

CITY OF MUSKEGON

CITY COMMISSION MEETING

August 12, 2025 @ 5:30 PM

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **PRAYER:**
- ☐ **PLEDGE OF ALLEGIANCE:**
- ☐ **ROLL CALL:**
- ☐ **HONORS, AWARDS, AND PRESENTATIONS:**
 - A. HBCU Club of Muskegon - Tarra Carson Mayor's Office
- ☐ **PUBLIC HEARINGS:**
 - A. PA 210 Commercial Rehabilitation Certificate - 1700 Oak Avenue
Economic Development
 - B. PA 198 Industrial Facilities Exemption - 701 W. Laketon Ave. Economic
Development
 - C. Neighborhood Enterprise Zone Certificates - 283 E. Walton Ave., 287 E.
Walton Ave., 286 Myrtle Ave., 294 Myrtle Ave., 518 Oak Ave., 450
Orchard Ave., and 454 Orchard Ave. Economic Development
- ☐ **FEDERAL/STATE/COUNTY OFFICIALS UPDATE:**
- ☐ **PUBLIC COMMENT ON AGENDA ITEMS:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes City Clerk
 - B. Sale of 577, 695, 723 Amity and 461 White Planning
 - C. Sale of 619 Amity Planning
 - D. Filtration - Hypochlorite Storage Tank Liner Installations Public Works
 - E. Filtration - Powder Activated Carbon (PAC) Public Works

- F. **Ordinance Amendment: Curfew** Public Safety
- G. **Downtown Muskegon Social District Expansion Request** Community Engagement
- H. **Resolution for 221 West Webster Avenue Social District Permit** Community Engagement
- I. **Amendment to the zoning ordinance - Extending the hours of operation for marihuana retailers and provisioning centers. (SECOND READING)** Planning
- J. **Amendment to the zoning ordinance - Allowing marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts. (SECOND READING)** Planning
- K. **Resolution for MNRTF Acquisition Grant Application** DPW- Parks
- L. **Sale of 499 Amity** Planning
- M. **Fleet Vehicle Replacements** Public Works
- N. **Update to City Manager's Contract - Vacation** Manager's Office
- O. **Request to Create a new Neighborhood Enterprise Zone District at 535 Yuba** Economic Development
- P. **Request to Create a new Neighborhood Enterprise Zone District at 2127 Austin** Economic Development
- Q. **Request to Create a new Neighborhood Enterprise Zone District at 2262 Austin** Economic Development
- R. **Request to Create a new Neighborhood Enterprise Zone District at 2155 Continental** Economic Development
- S. **Request to Create a new Neighborhood Enterprise Zone District at 2209 Valley** Economic Development
- T. **Request to Create a new Neighborhood Enterprise Zone District South Getty** Economic Development
- U. **Request to Create a new Neighborhood Enterprise Zone District at 2247 Valley** Economic Development
- V. **Driveway Easement to Benefit 1188 Lakeshore Dr** Public Works
- W. **Concur with CRC Recommendation** City Clerk

☐ UNFINISHED BUSINESS:

☐ NEW BUSINESS:

**A. Designation of Voting Delegates for the Michigan Municipal League
Annual Business Meeting** City Clerk

☐ **ANY OTHER BUSINESS:**

☐ **GENERAL PUBLIC COMMENT:**

► Reminder: Individuals who would like to address the City Commission shall do the following: ► Fill out a request to speak form attached to the agenda or located in the back of the room. ► Submit the form to the City Clerk. ► Be recognized by the Chair. ► Step forward to the microphone. ► State name. ► Limit of 3 minutes to address the Commission.

☐ **CLOSED SESSION:**

☐ **ADJOURNMENT:**

**AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY OF
MUSKEGON AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES**

To give comment on a live-streamed meeting the city will provide a call-in telephone number to the public to be able to call and give comment. For a public meeting that is not live-streamed, and which a citizen would like to watch and give comment, they must contact the City Clerk's Office with at least a two-business day notice. The participant will then receive a zoom link which will allow them to watch live and give comment. Contact information is below. For more details, please visit:

www.shorelinecity.com

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting with twenty-four (24) hours' notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or by calling the following:

Ann Marie Meisch, MMC. City Clerk. 933 Terrace St. Muskegon, MI 49440. (231)724-6705.
clerk@shorelinecity.com



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: PA 210 Commercial Rehabilitation Certificate - 1700 Oak Avenue						
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development						
Brief Summary: Pursuant to Public Act 210 of 2005, as amended, Muskegon Central Park, LLC has requested the issuance of a Commercial Rehabilitation Certificate at 1700 Oak Avenue.							
Detailed Summary & Background: Muskegon Central Park, LLC is requesting a Commercial Rehabilitation Certificate for the property located at 1700 Oak Avenue. This site is the former General Hospital, which is now planned for redevelopment into six (6) three-story multifamily buildings, totaling 144 dwelling units ranging from one (1) to three (3) bedrooms. A Commercial Rehabilitation District for this site was established following a public hearing held by the City Commission on July 22, 2025, allowing taxing jurisdictions the opportunity to provide input. Establishment of the district is a required step prior to the consideration of a certificate under Public Act 210 of 2005. In addition to the PA 210 incentive, this project also received approval for a Brownfield Plan Amendment on February 25, 2025. If approved, the Commercial Rehabilitation Certificate will freeze the taxable value of the existing building (in this case, the vacant hospital structure), and exempt the new real property investment from local property taxes for the duration of the certificate. The school operating tax and State Education Tax (SET) will continue to be levied. Land and personal property are not eligible for exemption under this act. The estimated capital investment exceeds \$21 million and is expected to create approximately 100 construction jobs, and generate three (3) new permanent jobs following project completion. The City's internal tax committee has reviewed the application and is recommending an abatement duration of ten (10) years.							
Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life - Reduction of blighted commercial properties							
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:							
Amount Requested: N/A	Budgeted Item: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td></td></tr></table>	Yes		No		N/A	
Yes		No		N/A			

Fund(s) or Account(s): N/A		Budget Amendment Needed: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td></td> </tr> </table>				Yes		No		N/A										
Yes		No		N/A																
Recommended Motion: I move to close the public hearing and approve the Commercial Rehabilitation Certificate for 1700 Oak Avenue for a duration of ten (10) years, and authorize the Mayor and City Clerk to sign the application and the resolution.																				
Approvals: <table border="1"> <tr> <td>Immediate Division Head</td> <td></td> <td></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>			Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			<u>Name the Policy/Ordinance Followed:</u> Public Act 210 of 2005, as amended		
Immediate Division Head																				
Information Technology																				
Other Division Heads																				
Communication																				
Legal Review																				

Application for Commercial Rehabilitation Exemption Certificate

Issued under authority of Public Act 210 of 2005, as amended.

LOCAL GOVERNMENT UNIT USE ONLY	
Application No.	Date Received
STATE USE ONLY	
Application No.	Date Received

Read the instructions page before completing the form. **This application should be filed after the commercial rehabilitation district is established.** The applicant must complete Parts 1, 2 and 3 and file the application form (with required attachments) with the clerk of the local governmental unit (LGU). Attach the legal description of property on a separate sheet. This project will not receive tax benefits until approved by the State Tax Commission (STC). Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the STC.

PART 1: OWNER / APPLICANT INFORMATION (applicant must complete all fields)			
Applicant (Company) Name (applicant must be the owner of the facility) Muskegon Central Park, LLC			NAICS or SIC Code
Facility's Street Address 1700 Oak Avenue	City Muskegon	State MI	ZIP Code 49442
Name of City, Township or Village (taxing authority) Muskegon	County Muskegon	School District Where Facility is Located Muskegon Public Schools	
☒ City ☐ Township ☐ Village			
Date of Rehabilitation Commencement (mm/dd/yyyy) 06/15/2025	Planned Date of Rehabilitation Completion (mm/dd/yyyy) 03/31/2027		
Estimated Cost of Rehabilitation \$21,532,385	Number of Years Exemption Requested (1-10) 10		
Expected Project Outcomes (check all that apply)			
☒ Increase Commercial Activity ☐ Retain Employment ☒ Revitalize Urban Areas ☒ Create Employment ☐ Prevent Loss of Employment ☒ Increase Number of Residents in Facility's Community			
No. of jobs to be created due to facility's rehabilitation 3	No. of jobs to be retained due to facility's rehabilitation	No. of construction jobs to be created during rehabilitation 100	
PART 2: APPLICATION DOCUMENTS			
Prepare and attach the following items:			
☒ General description of the facility (year built, original use, most recent use, number of stories, square footage)		☒ Statement of the economic advantages expected from the exemption	
☒ Description of the qualified facility's proposed use		☒ Legal description	
☒ Description of the general nature and extent of the rehabilitation to be undertaken		☐ Description of the "underserved area" (Qualified Retail Food Establishments only)	
☒ Descriptive list of the fixed building equipment that will be a part of the qualified facility		☐ Commercial Rehabilitation Exemption Certificate for Qualified Retail Food Establishments (Form 4753) (Qualified Retail Food Establishments only)	
☒ Time schedule for undertaking and completing the facility's rehabilitation			
PART 3: APPLICANT CERTIFICATION			
Name of Authorized Company Officer (no authorized agents) Steven J. Calverley		Telephone Number (517) 333-9622	
Fax Number (517) 333-9677		E-mail Address Steve@Krimson.com	
Street Address 1575 Watertower Place	City East Lansing	State MI	ZIP Code 48823
I certify that, to the best of my knowledge, the information contained herein and in the attachments is truly descriptive of the property for which this application is being submitted. Further, I am familiar with the provisions of Public Act 210 of 2005, as amended, and to the best of my knowledge the company has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local governmental unit and the issuance of a Commercial Rehabilitation Exemption Certificate by the State Tax Commission. I further certify that this rehabilitation program, when completed, will constitute a rehabilitated facility, as defined by Public Act 210 of 2005, as amended, and that the rehabilitation of this facility would not have been undertaken without my receipt of the exemption certificate.			
Signature of Authorized Company Officer (no authorized agents) 		Title Managing Member	Date 07/08/2025

PART 4: ASSESSOR RECOMMENDATIONS (assessor of LGU must complete Part 4)			
Provide the Taxable Value and State Equalized Value of Commercial Property, as provided in Public Act 210 of 2005, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC).			
	Taxable Value	State Equalized Value (SEV)	
Land	42,156	48,600	
Building(s)	864,124	996,200	
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Rehabilitation Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Commercial Rehabilitation Exemption that would also put the same property on the Commercial Rehabilitation specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Commercial Rehabilitation Exemption specific tax roll and not on any other specific tax roll.			
Name of Local Government Body City of Muskegon			
Name of Assessor (first and last name) Donna VanderVries		Telephone Number 231 750 6750	
Fax Number 231 724-1129		E-mail Address	
<i>I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.</i>			
Assessor's Signature D VanderVries			Date 7/31/25
PART 5: LOCAL GOVERNMENT ACTION (clerk of LGU must complete Part 5)			
Action Taken By LGU (attach a certified copy of the resolution):			
☐ Exemption approved for _____ years, ending December 30, _____ (not to exceed 10 years)			
☐ Exemption Denied			
Date District Established (attach resolution for district)	Local Unit Classification Identification (LUCI) Code	School Code	
PART 6: LOCAL GOVERNMENT CLERK CERTIFICATION (clerk of LGU must complete Part 6)			
Clerk's Name (first and last)		Telephone Number	
Fax Number		E-mail Address	
Mailing Address	City	State	ZIP Code
LGU Contact Person for Additional Information	LGU Contact Person Telephone Number	Fax Number	
<i>I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate and hereby request the State Tax Commission issue a Commercial Rehabilitation Exemption Certificate, as provided by Public Act 210 of 2005, as amended.</i>			
Clerk's Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

**Application for Commercial Rehabilitation Exemption Certificate
Multi-Family Development
1700 Oak Avenue, Muskegon, Michigan**

PART 2: Application Documents

General description of the facility (year built, original use, most recent use, number of stories, square footage)

The Site includes the western 13.89 acres of the former Muskegon General Hospital campus (located at 1700 Oak Avenue, Muskegon), which was developed in the late 1960s and remained operational until 2020. The combined 5-story west wing and single-story east wing of the hospital currently includes over 82,000 square feet of functionally obsolete space.

Description of the qualified facility's proposed use

The property owner intends to demolish the existing vacant, functionally obsolete, and environmentally unsafe hospital building (due to asbestos containing building materials) to facilitate the new construction of six, three story, multifamily buildings consisting of 144 total dwelling units (the Project). Each building will include 24 units comprised of one to three bedrooms that will be priced at affordable workforce housing rental rates.

Description of the general nature and extent of the rehabilitation to be undertaken

Rehabilitation activities to be undertaken at the Site include:

- Lead and asbestos abatement activities (abatement, disposal, and air monitoring).
- Demolition of functionally obsolete hospital.
- Site preparation activities including cut and fill operations, geotechnical engineering, grading, land balancing, relocation of active utilities, solid waste disposal, staking, temporary construction access and/or roads, temporary erosion control, temporary sheeting/shoring, temporary site control, temporary traffic control, and related engineering.
- Infrastructure improvements include construction of streets/roads, sidewalks, lighting, sanitary sewer mains, water mains, curb and gutter, sanitary sewer mains, landscaping, urban storm water management systems, and engineering.
- Construction of six new, three story, multifamily buildings and a leasing office.

Total project investment exceeds \$21,000,000.

Descriptive list of the fixed building equipment that will be a part of the qualified facility

- Heating and cooling system.
- Fire prevention and suppression system (e.g., sprinkling, smoke detectors, and fire extinguishers).
- Fresh water supply system throughout buildings (e.g., water heaters and faucets).
- Irrigation system components within buildings (e.g., timers and gauges).
- Cabinets, doors, shelves, and mirrors.
- Appliances

Estimated time schedule for undertaking and completing the facility's rehabilitation

- Abatement and demolition activities: June – September 2025
- Site preparation and infrastructure improvements: September 2025 – March 2027
- Vertical construction of multi-family buildings: October 2025 – March 2027

Statement of the economic advantages expected from the exemption

- 1) The exemption will help reduce project operating costs so that affordable rent rates for much-needed workforce housing can be maintained for City of Muskegon residents.
- 2) Three new jobs will be created to support this affordable housing project.
- 3) Numerous construction jobs will be created during the project development.
- 4) Removing a vacant, blighted and functionally obsolete hospital building will spur investment in nearby properties and increase taxable values at adjoining properties.
- 5) The project will significantly increase the property's taxable value and bring new tax revenue to the local community.

Legal description

The property is in the City of Muskegon, Muskegon County, Michigan, and consists of 13.89 acres of a 25-acre parent parcel. The parent parcel ID number is 61-24-122-300-0003-00.

The legal description of the Eligible Property is as follows:

Eligible Property - The Western 13.89 acres of PARCEL ID 61-24-122-300-0003-00

Part of the North 1/2 of the Southwest 1/4 of Section 22, Town 10 North, Range 16 West, City of Muskegon, Muskegon County, Michigan, described as: Beginning at a point on the West line of said Section 22 that is 750.77 feet South 00 degrees 10 minutes 00 seconds East of the West 1/4 corner of Section 22; thence North 88 degrees 59 minutes 00 seconds East 476.68 feet; thence North 02 degrees 06 minutes 10 seconds West 295.47 feet; thence North 89 degrees 50 minutes 00 seconds East 1.35 feet; thence South 65 degrees 27 minutes 17 seconds East 121.09 feet; thence North 88 degrees 44 minutes 43 seconds East 98.19 feet; thence South 01 degrees 44 minutes 05 seconds East 97.05 feet; thence North 89 degrees 08 minutes 54 seconds East 226.07 feet; thence South 01 degrees 01 minutes 00 seconds East 715.27 feet along a line which is 66.0 feet West of the west boundary of Osteopathic Medical Plats No.1 & No.2; thence South 89 degrees 01 minutes 03 seconds West 915.58 feet along the south line of the North 1/2 of said SW 1/4 to the West line of said Section 22; thence North 00 degrees 10 minutes 00 seconds West 568.92 feet along said west line to the Point of Beginning.

Parcel contains 604,850 square feet.

Description of the "underserved area" (Qualified Retail Food Establishments only)

N/A

Commercial Rehabilitation Exemption Certificate for Qualified Retail Food Establishments (Form 4753) (Qualified Retail Food Establishments only)

N/A

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION APPROVING APPLICATION FOR ISSUANCE
OF A COMMERCIAL REHABILITATION CERTIFICATE
*Muskegon-Central Park, LLC***

WHEREAS, pursuant to P.A. 210 of 2005 as amended, after duly noticed public hearing held on July 22, 2025, this Commission by resolution established a Commercial Rehabilitation District as requested by Muskegon-Central Park, LLC for the building at 1700 Oak Avenue, Muskegon, Michigan 49442; and

WHEREAS, Muskegon-Central Park, LLC requested in writing for the City to establish a Commercial Rehabilitation District at 1700 Oak Avenue in a letter dated March 7, 2025; and

WHEREAS, the application for the issuance of a Commercial Rehabilitation Certificate was filed within six months of the project's commencement; and

WHEREAS, the rehabilitation of this building is calculated to and will have the reasonable likelihood to retain, create, or prevent the loss of employment in Muskegon, Michigan; and

WHEREAS, Muskegon-Central Park LLC is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for commercial property as defined in section 2(a) of Public Act 210 of 2005; and

WHEREAS, Muskegon-Central Park, LLC has provided answers to all required questions under the application instructions to the City of Muskegon; and

WHEREAS, the City of Muskegon requires that rehabilitation of the facility shall be completed by March 31, 2027; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of Public Act 210 of 2005 and that is situated within a Commercial Rehabilitation District established under Public Act 210 of 2005; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(j) of Public Act 210 of 2005; and

WHEREAS, a Public Hearing was held on August 12, 2025 at which the applicant, the assessor and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard; and

WHEREAS, the aggregate SEV of real property exempt from ad valorem taxes within the City of Muskegon, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED by the Muskegon City Commission of the City of Muskegon, Michigan that:

- 1) The Muskegon City Commission finds and determines that the Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 210 of the Public Act of 2005 as amended shall not have the effect of substantially impeding the operation

of the City of Muskegon or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Muskegon.

- 2) The application of Muskegon-Central Park, LLC, for the issuance of a Commercial Rehabilitation Certificate with respect to the building improvements and equipment on the following described parcel of real property situated within the City of Muskegon to wit:

CITY OF MUSKEGON SEC 22 T10N R16W PART OF THE N 1/2 OF THE SW 1/4 SEC 22 T10N R16W

- 3) The Commercial Rehabilitation Certificate is issued and shall be and remain in force and effect for a period of ten (10) years, ending on December 31, 2036 and may not be extended.

Adopted this 12th Day of August 2025.

Ayes:

Nays:

Absent:

BY: _____
Ken Johnson
Mayor

ATTEST: _____
Ann Meisch
Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on August 12, 2025.

Ann Meisch
Clerk

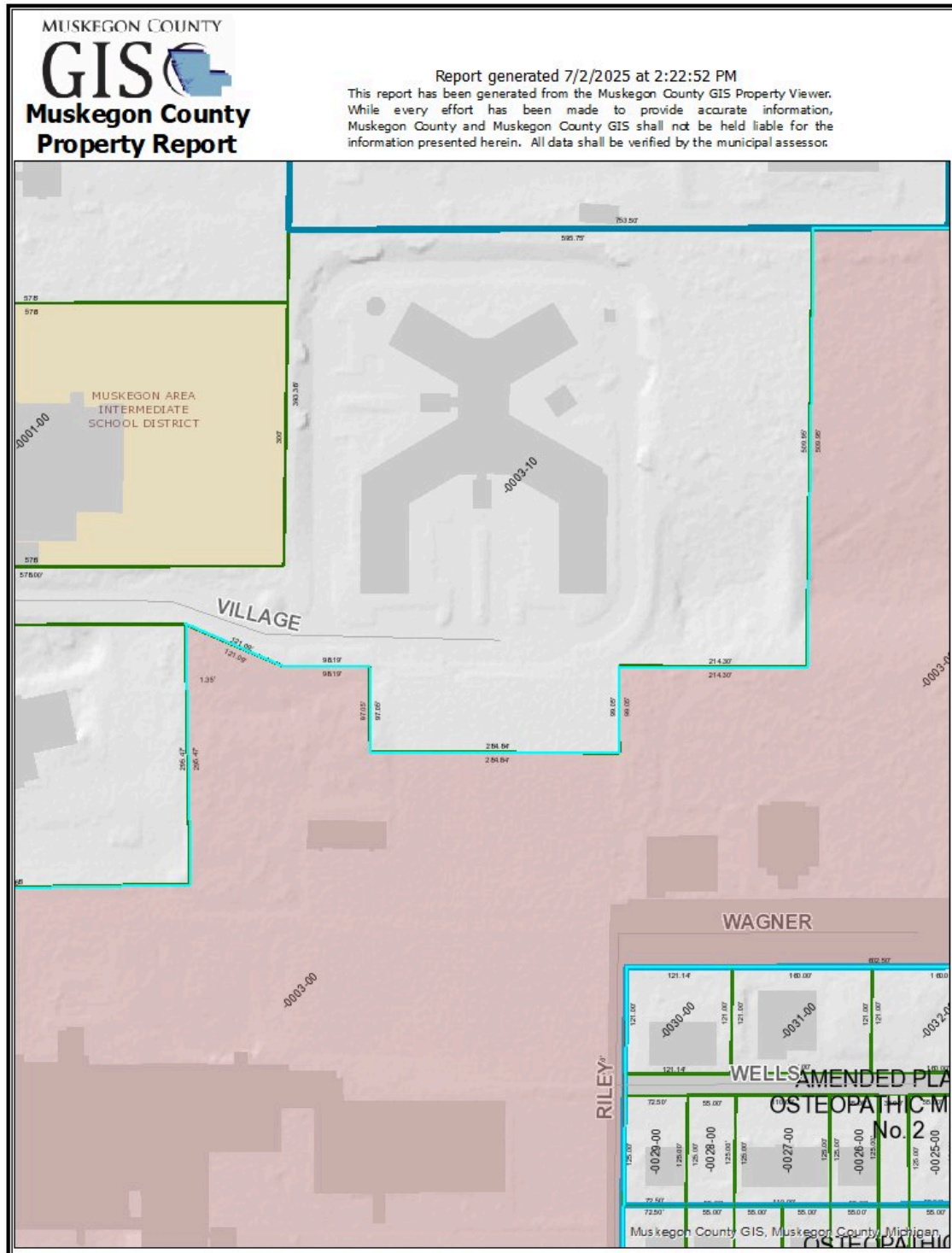


1700 Oak Ave Property Viewer Report

Area of Interest (AOI) Information

Area : 1,109,932.9 ft²

Jul 2 2025 14:22:13 Eastern Daylight Time



Summary

Name	Count	Area(ft²)	Length(ft)
Parcels	1	1,109,932.90	N/A

Parcels

#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-122-300-0003-00	24	25.48	26.70	1700	No Data	1700 OAK AVE	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49442	PHEONIX RECLAMATI ON LLC	No Data	No Data	3662 AIRLINE RD	MUSKEGON	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49444	1,089,600.00	1,089,600.00	945,146.00	0	201	Commercial - Improved	61010

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft²)
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1	MUSKEGON CITY SCHOOL DIST	RM-1	CITY OF MUSKEGON SEC 22 T10N R16W PART OF THE N 1/2 OF THE SW 1/4 SEC 22 T10N R16W DESCRIBED AS: BEG AT A PT ON THE W LN OF SD SEC 22 750.77 FT S 00D 10M 00S E OF WEST 1/4 CORNER OF SEC 22 TH N 88D 59M 00S E 476.68 FT TH N 02D 06M 10S W 295.47 FT TH N 89D 50M 00S E 1.35 FT TH S 65D 27M 17S E 121.09 FT TH N 88D 44M 43S E 98.19 FT TH S 01D 44M 05S E 97.05 FT TH N 89D 08M 54S E 284.84 FT TH N 01D 15M 17S W 99.05 FT TH N 88D 44M 43S E 214.30 FT TH N 00D 32M 46S W 509.95 FT TO EAST-WEST 1/4 LINE OF SEC 22 TH N 88D 44M 43S E 444.45 FT ALG SD EAST-WEST 1/4 LINE TH S 00D 10M 00S E 1074.38 FT ALG E LINE OF THE WEST 1617.0 FT OF SD SW 1/4 TH S 89D 01M 03S W 36.85 FT ALG N LN OF S 253.0 FT OF THE N 1/2 OF SAID SW 1/4 TH N 01D 01M 00S W 140.91 FT ALG THE EAST BOUNDARY OF AMENDED PLAT OF LOTS 11 THRU 20 VACATED WELLS AVE (PRIVATE) AND THE VACATED PORTION OF RILEY ST (PRIVATE) OF OSTEOPATHIC MEDICAL PLOT NO. 2 TH S 88D 59M 00S W 377.18 FT ALG N LN OF VACATED WELLS AVE TH S 01D 01M 00S E 27.00 FT TH S 88D 59M 00S W 225.32 FT TH S 01D 01M 00S E 366.55 FT ALG THE W BOUNDARY OF SD AMENDED PLAT AND ALG THE W BOUNDARY OF OSTEOPATHIC MEDICAL PLAT TH S 89D 01M 03S W 981.58 FT ALG THE S LN OF N 1/2 OF SD SW 1/4 TO WEST LN OF SD SEC 22 TH N 00D 10M 00S W 568.92 FT ALG SD W LN TO POB. EXCEPT THAT PART OF THE N 1/2 OF SW 1/4 SEC 22 DESC AS BEG AT A POINT ON THE W LN OF OSTEOPATHIC MEDICAL PLAT NO 2 EXTENDED NORTH THAT IS 162.00 FT N 01D 01M W OF THE NW COR OF SD	1,109,932.90
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				OSTEOPATHIC MEDICAL PLAT NO 2 TH N 01D 01M W 116.00 FT ALG SD W LN EXTENDED TH N 88D 59M E 125.00 FT TH S 01D 01M W 116.00 FT TH S 88D 59M W 125.00 FT TO POB ALSO EXC TH PART OF THE N 1/2 OF SW 1/4 SEC 22 DESC AS BEG AT A PT THAT IS 162.00 FT N 01D 01M W ALG THE W LN OF OSTEOPATHIC MEDICAL PLAT NO 2 EXT NORTH AND 125.00 FT N 88D 59M E OF THE NW COR OF OSTEOPATHIC MEDICAL PLAT NO 2 TH N 01D 02M W 156.00 FT TH N 88D 59M E 105.00 FT TH S 01D 01M E 156.00 FT TH S 89D 59M W 105.00 FT TO POB SUBJ TO EASEMENT FOR INGRESS/EGRESS AND UTILITIES DESC AS: BEG AT A PT ON THE WEST LN OF SEC 22 T10N R16W 750.77 FT S 00D 10M 00S E OF THE W 1/4 CORNER OF SD SEC 22 TH N 88D 59M 00S E 476.68 FT TH S 00D 10M 00S E 60.00 FT TH S 88D 59M 00S W 476.68 FT TO THE WEST LN OF SD SEC 22 TH N 00D 10M 00S W 60.00 FT TO THE POB. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS RECORDED IN LIBER 3822 PAGE 681.	
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©2020 Muskegon County GIS Data reported herein is believed to be accurate and up to date, however Muskegon County and Muskegon County GIS make no warranty to the accuracy of the data. It is advised that before any decisions are made from this data, that the local assessor or building officials are contacted.

MUSKEGON CITY COMMISSION

**RESOLUTION APPROVING THE CREATION OF A COMMERCIAL REHABILITATION DISTRICT
1700 OAK AVE**

WHEREAS, pursuant to PA 210 of 2005, the City of Muskegon has the authority to establish "Commercial Rehabilitation Districts" within the City of Muskegon at request of itself or a commercial business enterprise; and

WHEREAS, Muskegon-Central Park, LLC has requested the establishment of the Commercial Rehabilitation District for an area in the vicinity of 1700 Oak Ave. located in the City of Muskegon hereinafter described; and

WHEREAS, the City Commission of the City of Muskegon determined that the district meets the requirements set forth in sections 2(b) and 3 of PA 210 of 2005; and

WHEREAS, written notice has been given by certified mail to the county and all owners of real property located within the proposed district as required by section 3(3) of PA 210 of 2005; and

WHEREAS, a Public Hearing was held on July 22, 2025 at which the applicant, the assessor and representatives of the affected taxing units were afforded an opportunity to be heard;

WHEREAS, the City Commission deems it to be in the public interest of the City of Muskegon to establish the Commercial Rehabilitation District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Muskegon that the following described parcel of land situated in the City of Muskegon, Muskegon County, and State of Michigan, to wit:

CITY OF MUSKEGON SEC 22 T10N R16W PART OF THE N 1/2 OF THE SW 1/4 SEC 22 T10N R16W DESCRIBED AS: BEG AT A PT ON THE W LN OF SD SEC 22 750.77 FT S 00D 10M 00S E OF WEST 1/4 CORNER OF SEC 22 TH N 88D 59M 00S E 476.68 FT TH N 02D 06M 10S W 295.47 FT TH N 89D 50M 00S E 1.35 FT TH S 65D 27M 17S E 121.09 FT TH N 88D 44M 43S E 98.19 FT TH S 01D 44M 05S E 97.05 FT TH N 89D 08M 54S E 284.84 FT TH N 01D 15M 17S W 99.05 FT TH N 88D 44M 43S E 214.30 FT TH N 00D 32M 46S W 509.95 FT TO EAST-WEST 1/4 LINE OF SEC 22 TH N 88D 44M 43S E 444.45 FT ALG SD EAST-WEST 1/4 LINE TH S 00D 10M 00S E 1074.38 FT ALG E LINE OF THE WEST 1617.0 FT OF SD SW 1/4 TH S 89D 01M 03S W 36.85 FT ALG N LN OF S 253.0 FT OF THE N 1/2 OF SAID SW 1/4 TH N 01D 01M 00S W 140.91 FT ALG THE EAST BOUNDARY OF AMENDED PLAT OF LOTS 11 THRU 20 VACATED WELLS AVE (PRIVATE) AND THE VACATED PORTION OF RILEY ST (PRIVATE) OF OSTEOPATHIC MEDICAL PLOT NO. 2 TH S 88D 59M 00S W 377.18 FT ALG N LN OF VACATED WELLS AVE TH S 01D 01M 00S E 27.00 FT TH S 88D 59M 00S W 225.32 FT TH S 01D 01M 00S E 366.55 FT ALG THE W BOUNDARY OF SD AMENDED PLAT AND ALG THE W BOUNDARY OF OSTEOPATHIC MEDICAL PLAT TH S 89D 01M 03S W 981.58 FT ALG THE S LN OF N 1/2 OF SD SW 1/4 TO WEST LN OF SD SEC 22 TH N 00D 10M 00S W 568.92 FT ALG SD W LN TO POB. EXCEPT THAT PART OF THE N 1/2 OF SW 1/4 SEC 22 DESC AS BEG AT A POINT ON THE W LN OF OSTEOPATHIC MEDICAL PLAT NO 2 EXTENDED NORTH THAT IS 162.00 FT N 01D 01M W OF THE NW COR OF SD OSTEOPATHIC MEDICAL PLAT NO 2 TH N 01D 01M W 116.00 FT ALG SD W LN EXTENDED TH N 88D 59M E 125.00 FT TH S 01D 01M W 116.00 FT TH S 88D 59M W 125.00 FT TO POB ALSO EXC TH PART OF THE N 1/2 OF SW 1/4 SEC 22 DESC AS BEG AT A PT THAT IS 162.00 FT N 01D 01M W ALG THE W LN OF OSTEOPATHIC MEDICAL PLAT NO 2 EXT NORTH AND 125.00 FT N 88D 59M E OF THE NW COR OF OSTEOPATHIC MEDICAL PLAT NO 2 TH N

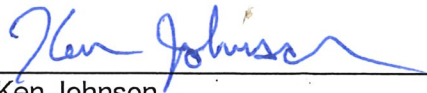
01D 02M W 156.00 FT TH N 88D 59M E 105.00 FT TH S 01D 01M E 156.00 FT TH S 89D 59M W 105.00 FT TO POB SUBJ TO EASEMENT FOR INGRESS/EGRESS AND UTILITIES DESC AS: BEG AT A PT ON THE WEST LN OF SEC 22 T10N R16W 750.77 FT S 00D 10M 00S E OF THE W 1/4 CORNER OF SD SEC 22 TH N 88D 59M 00S E 476.68 FT TH S 00D 10M 00S E 60.00 FT TH S 88D 59M 00S W 476.68 FT TO THE WEST LN OF SD SEC 22 TH N 00D 10M 00S W 60.00 FT TO THE POB. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS RECORDED IN LIBER 3822 PAGE 681.

Adopted this 22nd Day of July, 2025.

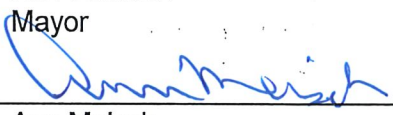
Ayes: German, Gorman, Kochin, St.Clair, Johnson, and Kilgo

Nays: None

Absent: Keener

BY: 
Ken Johnson

Mayor

ATTEST: 
Ann Meisch
Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on July 22, 2025.


Ann Meisch
Clerk



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: PA 198 Industrial Facilities Exemption - 701 W. Laketon Ave.
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development
Brief Summary: Pursuant to Public Act 198 of 1974, as amended, Molding Media of America, 701 W. Laketon Ave. has requested the issuance of an Industrial Facilities Exemption Certificate for the property located at 701 W. Laketon Ave.	
Detailed Summary & Background: Molding Media of America (MMA) has submitted an application for an Industrial Facilities Exemption (IFT) certificate for real property improvements at 701 W. Laketon Avenue, the former Great Lakes Die Cast facility. The company is proposing a capital rehabilitation investment of \$185,000. If approved, the IFT certificate would reduce property taxes on the real property improvements by 50%. MMA is a newly established company created in response to the anticipated closure of the current fiberglass supplier for SRS Fiberglass Products. To fill this gap in the market, MMA intends to develop a 68,000 sq. ft. fiberglass processing facility to serve the automotive, commercial interiors, and HVAC markets. In addition to the real property investment, the company plans to make significant investments in equipment and create approximately 50 high-paying jobs over the next two years. As a new business, MMA has signed the City's Equal Employment Opportunity and Inclusive Workforce Development Letter (attached), affirming its commitment to building a workforce that reflects the diversity of the City of Muskegon. The City's EEO & Employee Relations Director, in collaboration with the Economic Development Department, will monitor the company's progress toward these workforce goals. Following review, the City's Internal Tax Committee recommends approval of a 9-year abatement term for the proposed investment.	
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Progress toward new and ongoing economic development projects	
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:	
Amount Requested:	Budgeted Item:

N/A	<table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td></td> </tr> </table>	Yes		No		N/A										
Yes		No		N/A												
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td></td> </tr> </table>	Yes		No		N/A										
Yes		No		N/A												
Recommended Motion: I move to close the public hearing and approve the issuance of an Industrial Facilities Exemption Certificate for a period of nine (9) years for the property located at 701 W. Laketon Avenue, and to authorize the Mayor and City Clerk to sign the application and the resolution.																
Approvals: <table border="1"> <tr> <td>Immediate Division Head</td> <td></td> <td></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			<u>Name the Policy/Ordinance Followed:</u> Public Act 198 of 1974, as amended
Immediate Division Head																
Information Technology																
Other Division Heads																
Communication																
Legal Review																

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. If you have any questions regarding the completion of this form, call 517-335-7491.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date Received by Local Unit

STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Molding Media of America		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 5099	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 701 W. Laketon Avenue, Muskegon, MI 49441		1d. City/Township/Village (indicate which) City	1e. County Muskegon
2. Type of Approval Requested ☐ New (Sec. 2(5)) ☐ Speculative Building (Sec. 3(8)) ☐ Research and Development (Sec. 2(10))		3a. School District where facility is located Muskegon Public Schools	3b. School Code 610-01
☐ Transfer ☒ Rehabilitation (Sec. 3(6)) ☐ Increase/Amendment		4. Amount of years requested for exemption (1-12 Years) 7	
5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. See attached			
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		185,000.00 Real Property Costs	
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total		1,138,386.43 Personal Property Costs	
6c. Total Project Costs * Round Costs to Nearest Dollar		1,323,386.43 Total of Real & Personal Costs	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.			
Begin Date (M/D/Y)		End Date (M/D/Y)	
Real Property Improvements ▶ 08/01/2025		02/26/2026 ▶ ☐ Owned ☒ Leased	
Personal Property Improvements ▶ 08/01/2025		02/26/2026 ▶ ☒ Owned ☐ Leased	
8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☒ Yes ☐ No			
9. No. of existing jobs at this facility that will be retained as a result of this project. 0		10. No. of new jobs at this facility expected to create within 2 years of completion. 50	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.			
a. TV of Real Property (excluding land)		185,000.00	
b. TV of Personal Property (excluding inventory)		1,138,386.43	
c. Total TV		1,323,386.43	
12a. Check the type of District the facility is located in: ☐ Industrial Development District ☒ Plant Rehabilitation District			
12b. Date district was established by local government unit (contact local unit) 07/22/2025		12c. Is this application for a speculative building (Sec. 3(8))? ☐ Yes ☒ No	

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Julie Jennings	13b. Telephone Number (231) 747-6839	13c. Fax Number	13d. E-mail Address julie@srsfiberglass.com
14a. Name of Contact Person Steven Bradish	14b. Telephone Number (231) 747-6839	14c. Fax Number	14d. E-mail Address steve@srsfiberglass.com
▶ 15a. Name of Company Officer (No Authorized Agents) Steven Bradish			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number	15d. Date 06/06/2025
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1041 E. Keating Avenue, Muskegon, MI 49442		15f. Telephone Number (231) 747-6839	15g. E-mail Address steve@srsfiberglass.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.		
16c. School Code		
17. Name of Local Government Body		▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

For faster service, email the completed application and additional required documentation to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

June 13, 2025

General Description of Facility

Molding Media will be a 68,000 sq ft. fiberglass processing facility. Processing fiberglass for the automotive, commercial interiors, and HVAC markets. Knauf Insulation is a major fiberglass supplier which has discontinued their molding media product. Molding Media has taken the opportunity to purchase equipment to fill the void. The projection is to create 50 new jobs over the next 2 years.

Letter of Intent: Equal Employment Opportunity and Inclusive Workforce Development

Molding Media of America, LLC reaffirms its ongoing commitment to the principles of equal opportunity, diversity, equity, and inclusion. In alignment with the intent of applicable executive orders and the City of Muskegon's Equity and Inclusion goals, we will continue to partner with the City's Equal Employment Opportunity (EEO) Director and the Development Services Department to review, maintain, and strengthen our Equal Employment Opportunity policies and practices.

Our Commitment

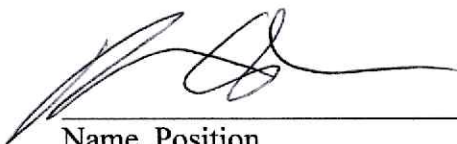
It remains the policy of Molding Media of America, LLC to provide equal employment opportunities based solely on merit, qualifications, and business need—without discrimination based on race, color, religion, sex, national origin, age, disability, weight, height, veteran status, marital status, sexual orientation, or gender identity.

We are committed to advancing workforce diversity and will continue to evaluate our internal metrics as we work toward the City's goals of achieving 14% minority and 6.9% female representation in our workforce.

Molding Media of America, LLC is dedicated to identifying and eliminating systemic barriers that may prevent underrepresented groups from fully participating in our employment processes. We will continue to source, recruit, and engage talent from the greater Muskegon community, and we will prioritize the intentional inclusion of minority and women candidates who meet the minimum qualifications for open positions.

As part of our ongoing efforts, Molding Media of America, LLC will follow up in one year to assess progress toward these goals and to identify areas of improvement, ensuring accountability and continued alignment with our commitments.

This policy and our commitment to it are hereby reaffirmed by:



Name, Position
Molding Media of America
July 15, 2025

Equipment List

1. AIS – purchased an oven – cost: \$63,555 (plus installation)
2. IPT – purchased a rewinder – cost: \$102,550.00
3. Navis Tube Tex – purchased a compression foam system – cost: \$776,450.00
4. 2572 Foam Injector - \$ (can give you cost on Tuesday)

Rehab/Remodeling Work

1. Painting & Flooring - \$30,000
2. Office Windows - \$30,000
3. Roofing - \$50,000
4. Electrical - \$15,000
5. AC - \$5,000
6. Bathroom remodel - \$5,000
7. Driveway – \$40,000
8. Heating – \$10,000

Total = \$185,000.00

Proposed Employment

**50 employees over the next 2 years

- Operators - \$20.00 per hour
- Managerial/Supervisors - \$30.00 per hour (possibly salaried)
- Maintenance - \$30.00
- Office Staff - \$21.00 - \$25.00

MUSKEGON COUNTY

M I C H I G A N

701 W Laketon Ave

August 6, 2025

RE: 701 W Laketon Ave (POLP 24-370-002-0001-00)

The structure at 701 W Laketon Ave Muskegon MI 49441 (part of parcel 61-24-370-002-0001-00) consists of a multi-story industrial building. The entire parcel has a current taxable value of \$1,566,363. The parcel has been approved for a split and the parcel resulting of 4.26 acres. The contributory value of this split parcel has a true cash value of **\$593,811**. The land carries a true cash value of \$64,041. The parcel has a SEV of 296,900 including land and an SEV of **\$264,900** excluding the land.

Assessing
City of Muskegon

Affidavit of Functional Obsolescence

Project

Former Dilesco/Great Lakes Diecast
701 W Laketon Ave
Muskegon, MI 49441

Inspection

The subject property was inspected on Tuesday August 5, 2025, by Donna Vandervries, Wesley Dault and Justin George from the Muskegon County Equalization Department with Russ Kwiatkowski of SRS Fiberglass.

The project consists of the mixed story building of different construction styles. The building sets on approximately 4.26 acres at 701 W Laketon Ave near the corner of Laketon and Bus. US 31.

The building was built in multiple phases with the original building constructed in 1940 with additions added sporadically until 1995 when the most recent addition was added.

The building had been utilized by Dilesco/Great Lakes Diecast from 1974 until its closure in 2018 when the building was purchased by Mumford Metal Castings.

The structure's façade consists of multiple coverings from steel to brick and block construction, with portions of the roof being flat and other portions being bowstring.

Recent improvements to the building have, for the most part, been limited to roof repairs and demolition for remodeling of the office space.

The structure suffers from being built in multiple sections with different floor heights with step ups and ramps to access different areas.

Extensive roof repairs are needed due to leaks and water damage in breakroom and warehouse areas, as well as the removal of numerous exhaust stacks that go through the roof from previous uses.

The building also lacks an elevator in the 2-story section of the building creating accessibility issues.

The windows also appear to be original to the structure and would necessitate replacement.

The subject property, in its current physical state, is not consistent with the needs and market expectations for potential users of this property type. Therefore, all of these conditions would need to be addressed in order to make the building viable for any proposed new use.

Certification of Functional Obsolescence

It is this assessor's expert opinion that this property is functionally obsolete and unable to adequately perform the function for which it is intended due to a substantial loss in value resulting from the following conditions: 1.) Deficiencies in the roof system including the removal of exhaust vents and water leaks; and 2.) Different sections of the structure at different levels.

Additionally, due to its specific design, the building will require extensive modification and renovation to accommodate the conversion to a new use and the renovation of the outdated windows, siding and accessibility.

This opinion is made from consideration of the information contained in this report.

Disclaimer

This opinion is based upon the individual research and professional training and experience of the signer. It does not necessarily reflect the official opinion of the local assessor's office as used in the determination of value for the current and/or any future assessment roll.



Donna B. Vandervries, MMAO (4)
Director, Muskegon County Equalization Department

8/6/25
Date

August 5, 2025

Johnathan Seyferth
City of Muskegon
933 Terrance St.
Muskegon, MI 49440

Subject: Letter of Support for Molding Media of America

Mr. Seyferth,

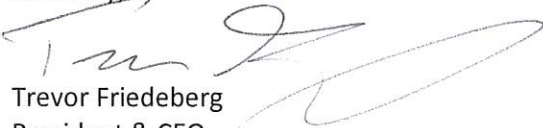
Greater Muskegon Economic Development (GMED) is pleased to offer its full support for Molding Media of America's planned opening in the City of Muskegon. This significant project entails a \$1.3 million dollar capital investment and is anticipated to create 50 new jobs in our community over the next two years. As the leading economic development agency in Muskegon County, GMED recognizes the profound impact this project will have on our community's workforce and vitality.

GMED strongly supports the approval of a 9-year tax abatement for Molding Media of America's project. This abatement will make the project more practical and affordable, encouraging Molding Media of America to invest in our community. By reducing the initial tax burden, the abatement will enable Molding Media of America to allocate more resources towards innovation, workforce development, and operational excellence.

GMED has always championed projects that foster economic growth, innovation, and job creation. Molding Media of America's project aligns seamlessly with these objectives and is aligned with our goal to increase new businesses, and support our employers. We are confident that this investment will yield significant returns for City of Muskegon and its residents.

Thank you for your consideration of this positive economic development initiative.

Sincerely,



Trevor Friedeberg
President & CEO
Greater Muskegon Economic Development

MUSKEGON CITY COMMISSION

**RESOLUTION APPROVING APPLICATION FOR ISSUANCE OF INDUSTRIAL
FACILITIES EXEMPTION CERTIFICATE *Molding Media of America***

WHEREAS, pursuant to P.A. 198 of 1974 as amended, after duly noticed public hearing held on July 22, 2025 this Commission by resolution established a Plant Rehabilitation District as requested by SRS Fiberglass Products, 701 W. Laketon Ave., Muskegon, Michigan 49441; and

WHEREAS, Molding Media of America has filed an application for the issuance of an Industrial Facilities Tax Exemption Certificate with respect to the rehabilitation of a facility and new machinery and equipment to be installed within said Plant Rehabilitation District; and

WHEREAS, before acting on said application the Muskegon City Commission held a public hearing on August 12, 2025 at the Muskegon City Hall in Muskegon, Michigan at 5:30 p.m. at which hearing the applicant, the assessor and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the rehabilitation of the facility and installation of machinery and equipment is calculated to and will have the reasonable likelihood to retain, create, or prevent the loss of employment in Muskegon, Michigan; and

WHEREAS, the aggregate SEV of real property exempt from ad valorem taxes within the City of Muskegon, will not exceed 5% of an amount equal to the sum of the SEV of the local government unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED by the Muskegon City Commission of the City of Muskegon, Michigan that:

- 1) The Muskegon City Commission finds and determines that the Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Act of 1974 as amended shall not have the effect of substantially impeding the operation of the City of Muskegon or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Muskegon.
- 2) The application of Molding Media of America, for the issuance of an Industrial Facilities Tax Exemption Certificate with respect to the rehabilitation and installation of new machinery and equipment on the following described parcel of real property situated within the City of Muskegon to wit:

LAND SITUATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWN 10 NORTH, RANGE 16 WEST, CITY OF MUSKEGON, COUNTY OF MUSKEGON, STATE OF MICHIGAN. LOTS 6 AND 7 AND LOTS 12 TO 18, INCLUSIVE, BLOCK 2; LOTS 1 TO 4, INCLUSIVE AND LOTS 20 TO 26 INCLUSIVE, BLOCK 3; LOTS 1 TO 7, INCLUSIVE AND LOTS 21 TO 26, INCLUSIVE, BLOCK 4; LOTS 1 TO 6 INCLUSIVE, BLOCK 5; ALL IN MAP OF GLENCOE ADDITION TO THE CITY OF MUSKEGON, AS RECORDED IN LIBER 3 OF PLATS, PAGE 33, MUSKEGON COUNTY RECORDS, INCLUDING VACATED STREETS AND ALLEY ADJACENT THERETO.

EXCEPT: THAT PART THAT LIES EAST OF THE WEST RIGHT OF WAY LINE OF BUSINESS HIGHWAY US-31.

ALSO EXCEPT, PART OF LOT 7, BLOCK 2, THE WEST HALF OF VACATED BEIDLER STREET, AND THE NORTH HALF OF THE VACATED ALLEY ADJACENT TO LOTS 1 TO 5 AND 7 TO 11.

SAID PARCEL ALSO DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 31;

THENCE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 209.87 FEET;

THENCE SOUTH 01 DEGREE 54 MINUTES 18 SECONDS WEST TO THE POINT OF INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE C&O RAILROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKETON AVENUE, A DISTANCE OF 33.00 FEET;

THENCE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF LAKETON AVENUE, A DISTANCE OF 105.79 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG SAID LINE, A DISTANCE OF 76.20 FEET;

THENCE SOUTH 25 DEGREES 12 MINUTES 56 SECONDS WEST, A DISTANCE OF 41.23 FEET;

THENCE SOUTH 01 DEGREE 56 MINUTES 06 SECONDS WEST, A DISTANCE OF 96.24 FEET;

THENCE SOUTH 88 DEGREES 03 MINUTES 54 SECONDS EAST ALONG THE CENTERLINE OF SAID VACATED ALLEY, A DISTANCE OF 143.00 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 06 SECONDS EAST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 88 DEGREES 03 MINUTES 54 SECONDS EAST, A DISTANCE OF 15.00 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 23 SECONDS EAST ALONG THE CENTERLINE OF SAID VACATED BEIDLER STREET, A DISTANCE OF 49.00 FEET;

THENCE NORTH 88 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 2.50 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 04 SECONDS EAST, A DISTANCE OF 16.00 FEET;

THENCE SOUTH 88 DEGREES 04 MINUTES 32 SECONDS EAST, A DISTANCE OF 2.50 FEET;

THENCE NORTH 15 DEGREES 58 MINUTES 06 SECONDS EAST, A DISTANCE OF 56.94 FEET;

THENCE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF LAKETON AVENUE, A DISTANCE OF 100.50 FEET;

THENCE SOUTH 02 DEGREES 35 MINUTES 53 SECONDS WEST, A DISTANCE OF 99.05 FEET;

THENCE SOUTH 88 DEGREES 31 MINUTES 45 SECONDS EAST, A DISTANCE OF 1.48 FEET;

THENCE SOUTH 02 DEGREES 47 MINUTES 14 SECONDS WEST, A DISTANCE OF 44.63 FEET;

THENCE SOUTH 88 DEGREES 00 MINUTES 28 SECONDS EAST ALONG THE CENTERLINE OF A VACATED ALLEY ADJACENT TO LOTS 20 TO 24 OF SAID BLOCK 3, A DISTANCE OF 125.13 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BUSINESS US-31 (SEAWAY DRIVE);

THENCE SOUTH 02 DEGREES 12 MINUTES 50 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 323.07 FEET;

THENCE NORTH 88 DEGREES 02 MINUTES 53 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 25.01 FEET;

THENCE SOUTH 02 DEGREES 07 MINUTES 12 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A

DISTANCE OF 379.00 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF THE C&O RAILROAD;

THENCE NORTH 30 DEGREES 49 MINUTES 56 SECONDS WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF THE C&O RAILROAD, A DISTANCE OF 647.16 FEET;

THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 191.13 FEET

ALONG A CURVE TO THE RIGHT CURVE DATA BEING RADIUS = 2,334.36 FEET, DELTA = 04 DEGREES 41

MINUTES 28 SECONDS, LONG CHORD = 191.07 FEET, LONG CHORD BEARING = NORTH 26 DEGREES 50

MINUTES 57 SECONDS WEST;

THENCE SOUTH 88 DEGREES 03 MINUTES 54 SECONDS EAST ALONG THE CENTERLINE OF SAID VACATED ALLEY ADJACENT TO LOTS 1 TO 5 OF BLOCK 2, A DISTANCE OF 79.25 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 06 SECONDS EAST, A DISTANCE OF 114.09 FEET;

THENCE NORTH 88 DEGREES 05 MINUTES 42 SECONDS WEST, A DISTANCE OF 34.89 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 4.26 ACRES. MORE OR LESS.

3) The Industrial Facilities Tax Exemption Certificate is issued and shall be and remain in force and effect for a period of nine (9) years on real property.

Adopted this 12 Day of AUGUST 2025

Ayes:

Nays:

Absent:

BY: _____
Ken Johnson Mayor

ATTEST: _____
Ann Meisch, City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on August 12, 2025.

Ann Meisch, City Clerk

RENTAL LEASE AGREEMENT

1. **PARTIES.** This Rental Lease Agreement (the "Agreement") made this 06/05/2025 is between:

Tenant(s): Molding Media of America LLC (the "Tenant")

Landlord: SRS Holdings LLC (the "Landlord")

Landlord Address: 19087 Gildner Creek Court, Spring Lake, MI 49456

2. **PROPERTY.** The Tenant will lease the following property from the Landlord:

Address: 701 W. Laketon Ave., Muskegon, MI 49441

Type: ☐ Apartment ☐ Single-family ☐ Condominium ☐ Townhome ☒ Other: Commercial Bldg.

3. **LEASE TERM.** The Agreement will start and end on the dates entered below:

Start Date: 06/15/2025

End Date: 12/31/2025

4. **RENT.** The Tenant agrees to pay \$6,000.00 (the "Rent") to the Landlord on a monthly basis. Rent will be due on the 1st of every month, to be paid in the following manner: check or account transfer.

5. **LATE FEE.** The Tenant ☐ Will ☒ Will NOT be required to pay a late fee for late rate. If required, the Tenant will need to pay a late fee of \$0.00 if the rent has not been received within 0 days of the due date.

6. **SECURITY DEPOSIT.** The Tenant ☐ Will ☒ Will NOT be required to pay a security deposit. If required, the Tenant will be required to pay \$0.00 to the Landlord by the Start Date entered in Section 3.

7. **ACKNOWLEDGMENT.** By signing below, the Tenant hereby acknowledges that they have read, understood, and agreed to all parts of this document.

Landlord Signature: _____

Date: 06/05/2025

Printed Name: Steven E. Bradish for SRS Holdings LLC

Tenant Signature: _____

Date: 06/05/2025

Printed Name: Steven E. Bradish for Molding Media of America LLC



MUSKEGON CITY COMMISSION

RESOLUTION APPROVING A PLANT REHABILITATION DISTRICT AT 701 W. LAKETON AVE, MUSKEGON,
MI 49441

WHEREAS, pursuant to PA 198 of 1974, as amended, the City Commission of the City of Muskegon has the authority to establish a Plant Rehabilitation District within the City of Muskegon; and

WHEREAS, SRS Fiberglass Products has petitioned the City Commission of the City of Muskegon to establish a Plant Rehabilitation District on its property located in the City of Muskegon hereinafter described; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Muskegon Chronicle and public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on July 22, 2025 a public hearing was held at which all owners of real property within the proposed Plant Rehabilitation District and all residents and taxpayers of the City of Muskegon were afforded an opportunity to be heard thereon; and

WHEREAS, the City Commission of the City of Muskegon deems it to be in the public interest of the City of Muskegon to establish the Plant Rehabilitation District as proposed.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Muskegon that the following described parcel of land situated in the City of Muskegon, Muskegon County, and State of Michigan, to wit:

LAND SITUATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWN 10 NORTH, RANGE 16 WEST, CITY OF MUSKEGON, COUNTY OF MUSKEGON, STATE OF MICHIGAN. LOTS 6 AND 7 AND LOTS 12 TO 18, INCLUSIVE, BLOCK 2; LOTS 1 TO 4, INCLUSIVE AND LOTS 20 TO 26 INCLUSIVE, BLOCK 3, LOTS 1 TO 7, INCLUSIVE AND LOTS 21 TO 26, INCLUSIVE, BLOCK 4; LOTS 1 TO 6 INCLUSIVE, BLOCK 5; ALL IN MAP OF GLENCOE ADDITION TO THE CITY OF MUSKEGON, AS RECORDED IN LIBER 3 OF PLATS, PAGE 33, MUSKEGON COUNTY RECORDS, INCLUDING VACATED STREETS AND ALLEY ADJACENT THERETO.

EXCEPT: THAT PART THAT LIES EAST OF THE WEST RIGHT OF WAY LINE OF BUSINESS HIGHWAY US-31.

ALSO EXCEPT, PART OF LOT 7, BLOCK 2, THE WEST HALF OF VACATED BEIDLER STREET, AND THE NORTH HALF OF THE VACATED ALLEY ADJACENT TO LOTS 1 TO 5 AND 7 TO 11.

SAID PARCEL ALSO DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 31;

THENCE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 209.87 FEET;

THENCE SOUTH 01 DEGREE 54 MINUTES 18 SECONDS WEST TO THE POINT OF INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE C&O RAILROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKETON AVENUE, A DISTANCE OF 33.00 FEET;

THENCE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF LAKETON AVENUE, A DISTANCE OF 105.79 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG SAID LINE, A DISTANCE OF 76.20 FEET;

THENCE SOUTH 25 DEGREES 12 MINUTES 56 SECONDS WEST, A DISTANCE OF 41.23 FEET;

THENCE SOUTH 01 DEGREE 56 MINUTES 06 SECONDS WEST, A DISTANCE OF 96.24 FEET;

THENCE SOUTH 88 DEGREES 03 MINUTES 54 SECONDS EAST ALONG THE CENTERLINE OF SAID VACATED ALLEY, A DISTANCE OF 143.00 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 06 SECONDS EAST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 88 DEGREES 03 MINUTES 54 SECONDS EAST, A DISTANCE OF 15.00 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 23 SECONDS EAST ALONG THE CENTERLINE OF SAID VACATED BEIDLER STREET, A DISTANCE OF 49.00 FEET;

THENCE NORTH 88 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 2.50 FEET;

THENCE NORTH 01 DEGREE 56 MINUTES 04 SECONDS EAST, A DISTANCE OF 16.00 FEET;

THENCE SOUTH 88 DEGREES 04 MINUTES 32 SECONDS EAST, A DISTANCE OF 2.50 FEET;

THENCE NORTH 15 DEGREES 58 MINUTES 06 SECONDS EAST, A DISTANCE OF 56.94 FEET;

THENCE SOUTH 88 DEGREES 05 MINUTES 42 SECONDS EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF LAKETON AVENUE, A DISTANCE OF 100.50 FEET;

THENCE SOUTH 02 DEGREES 35 MINUTES 53 SECONDS WEST, A DISTANCE OF 99.05 FEET;

THENCE SOUTH 88 DEGREES 31 MINUTES 45 SECONDS EAST, A DISTANCE OF 1.48 FEET;

THENCE SOUTH 02 DEGREES 47 MINUTES 14 SECONDS WEST, A DISTANCE OF 44.63 FEET;

THENCE SOUTH 88 DEGREES 00 MINUTES 28 SECONDS EAST ALONG THE CENTERLINE OF A VACATED ALLEY ADJACENT TO LOTS 20 TO 24 OF SAID BLOCK 3, A DISTANCE OF 125.13 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BUSINESS US-31 (SEAWAY DRIVE);

THENCE SOUTH 02 DEGREES 12 MINUTES 50 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 323.07 FEET;

THENCE NORTH 88 DEGREES 02 MINUTES 53 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 25.01 FEET;

THENCE SOUTH 02 DEGREES 07 MINUTES 12 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 379.00 FEET TO A POINT ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF THE C&O RAILROAD;

THENCE NORTH 30 DEGREES 49 MINUTES 56 SECONDS WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF THE C&O RAILROAD, A DISTANCE OF 647.16 FEET;

THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 191.13 FEET ALONG A CURVE TO THE RIGHT CURVE DATA BEING RADIUS = 2,334.36 FEET, DELTA = 04 DEGREES 41 MINUTES 28 SECONDS, LONG CHORD = 191.07 FEET, LONG CHORD BEARING = NORTH 26 DEGREES 50 MINUTES 57 SECONDS WEST;

THENCE SOUTH 88 DEGREES 03 MINUTES 54 SECONDS EAST ALONG THE CENTERLINE OF SAID VACATED ALLEY ADJACENT TO LOTS 1 TO 5 OF BLOCK 2, A DISTANCE OF 79.25 FEET;

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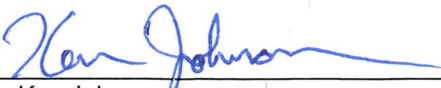
is established as a Plant Rehabilitation District pursuant to the provisions of PA 198 of 1974, as amended, to be known as 701 W. Laketon Plant Rehabilitation District.

Adopted this 22nd Day of July 2025.

Ayes: Kilgo, German, Gorman, Kochin, St.Clair, and Johnson

Nays: None

Absent: Keener

BY: 
Ken Johnson

Mayor

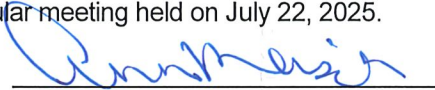
ATTEST: 

Ann Meisch

Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on July 22, 2025.



Ann Meisch

Clerk



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Neighborhood Enterprise Zone Certificates - 283 E. Walton Ave., 287 E. Walton Ave., 286 Myrtle Ave., 294 Myrtle Ave., 518 Oak Ave., 450 Orchard Ave., and 454 Orchard Ave.				
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development				
Brief Summary: The staff are requesting the approval of Neighborhood Enterprise Zone (NEZ) certificates for 15 years for a new construction home at 283 E. Walton Ave., 287 E. Walton Ave., 286 Myrtle Ave., 294 Myrtle Ave., 518 Oak Ave., 450 Orchard Ave., and 454 Orchard Ave.					
Detailed Summary & Background: An application for Neighborhood Enterprise Zone (NEZ) certificates has been received from RSW Holdings LLC and Barrowstone Capital LLC for the construction of single-family homes located at 283 E. Walton Ave., 287 E. Walton Ave., 286 Myrtle Ave., 294 Myrtle Ave., 518 Oak Ave., 450 Orchard Ave., and 454 Orchard Ave. The estimated construction cost for each home is \$157,000. These properties were previously owned by the City of Muskegon. The applicant has met all local and state requirements necessary for the issuance of the NEZ certificate.					
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development					
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:					
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"> </td> </tr> </table>	Yes	No	N/A	
Yes	No	N/A			
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"> </td> </tr> </table>	Yes	No	N/A	
Yes	No	N/A			
Recommended Motion: I move to close the public hearing and approve Neighborhood Enterprise Zone (NEZ) certificates for 15 years at 283 E. Walton Ave., 287 E. Walton Ave., 286 Myrtle Ave., 294 Myrtle Ave., 518 Oak Ave., 450 Orchard Ave., and 454 Orchard Ave and authorize the City Clerk and Mayor to sign the applications and resolutions.					
Approvals:	<u>Name the Policy/Ordinance Followed:</u>				

Immediate Division Head			Diverse housing types
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Michigan Department of Treasury
4775 (Rev. 02-23), Page 1

Application for Neighborhood Enterprise Zone Certificate

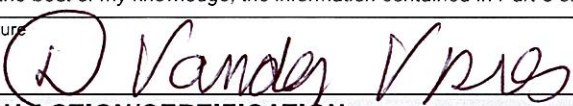
Issued under authority of Public Act 147 of 1992, as amended.

LOCAL GOVERNMENTAL UNIT USE ONLY	
▶ Application No.	▶ Date Received
STATE USE ONLY	
▶ Application No.	▶ Date Received

Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction except as provided in the instructions on page 3 under Owner/Developer/Applicant Instructions. Initially file completed application and required documents with the clerk of the local governmental unit. The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/DEVELOPER/APPLICANT INFORMATION (Applicant must complete all fields)				
Owner/Developer/Applicant Name RSW Holdings LLC & Barrowstone Capital LLC		Type of NEZ ☒ OPRA eligible community NEZ ☐ Workforce Housing NEZ		
Facility's Street Address 283 E Walton		Type of Approval Requested		
City Muskegon	State MI	ZIP Code 49442	☒ New Facility ☐ Rehabilitated Facility ☐ Transfer (1 copy only)	
Name of City, Township or Village (taxing authority) Muskegon		No. of years requested for exemption (6-15; 11-17 for qualified historic building) 15		
☒ City ☐ Township ☐ Village		Is the facility owned or rented by occupants? ☒ Owned ☐ Rented		
County Muskegon		Type of Property (check one) ☒ House ☐ Duplex ☐ Condo ☐ Loft ☐ Apartment - No. of Units _____		
School District 61010				
Name of LGU that established district City of Muskegon		Name or Number of Neighborhood Enterprise Zone Angell		Date district was established 10/22/2024
Identify who will complete the work ☒ Licensed Contractor ☐ Other _____		Estimated Project Cost (per unit) \$157,000.00		
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. For rehabilitation only, include Breakdown of Investment Costs. Use attachments if necessary. RSW Holdings LLC and Barrowstone Capital LLC are partnering to develop this parcel and build a 3bd/2bath single family home to sell. This is 1 of 7 parcels they have contracted with Sjaarda Homes to build and once complete will list for sale to the community with estimated sale price ranging from \$205-\$225k dependant on location and parcel size.				
Timetable for undertaking and completing the rehabilitation or construction of the facility.		Additional Timetable Information (if applicable)		
Begin Date 7/15/2025	End Date 5/15/2026	dependant on closing, buildinga applications and weather, est 10-12 month timetable for all 7 homes		
PART 2: OWNER/DEVELOPER/APPLICANT CERTIFICATION				
Contact Name Ron Webb				
Contact Telephone Number (616) 291-2782		Contact Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Name Ron Webb/RSW Holdings & Taylor Webb/Barrowstone Capital LLC				
Owner/Developer/Applicant Telephone Number (616) 291-2782		Owner/Developer/Applicant Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Mailing Address 691 Ottawa Beach Rd.		City Holland	State MI	ZIP Code 49424
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.				
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.				
Owner/Developer/Applicant Signature 		Date 		
dotloop verified 07/08/25 8:13 AM EDT DMTM-TMFB-3C2-FMK		dotloop verified 07/08/25 8:20 AM EDT EOJA-EMRM-ZOC-6-UVH-4		

Continue on Page 2

PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU City of Muskegon			
Name of Assessor (First and last name) Donna VanderVries			
Telephone Number 231 750 6750		Email Address vanderuriesdoo@muskegoncounty.net	
I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.			
Assessor's Signature 			Date 7/30/25
PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)			
Action taken by LGU: ☐ Exemption Approved for _____ Years (6-15) ☐ Exemption Approved for _____ Years (11-17 qualified historic building) ☐ Exemption Denied (include Resolution Denying)		The State Tax Commission requires the following documents be filed for an administratively complete application: ☐ 1. Original Application ☐ 2. Legal description of the real property with parcel identification number ☐ 3. Resolution approving the zone. ☐ 4. Resolution approving the application. ☐ 5. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Date of resolution approving/denying this application			
Clerk's Name (First and Last)			
Telephone Number			
Email Address			
Mailing Address		City	State
			ZIP Code
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.			
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.			
Clerk Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Note: Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent by email or mail directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO APPROVE THE ISSUANCE
OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE**

WHEREAS, an application for a Neighborhood Enterprise Zone Certificate has been filed with the City Clerk by RSW Holdings LLC & Barrowstone Capital LLC to construct a new home at 283 E. Walton Ave. in the Angell neighborhood, and;

WHEREAS, the applicant has satisfied both the local and state eligibility criteria for a Neighborhood Enterprise Zone Certificate;

WHEREAS, the local unit of government is allowing the six (6) month grace period after construction commencement to apply, which is allowed under the law;

WHEREAS, the Neighborhood Enterprise Zone Certificate has been approved for fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED that the application for a Neighborhood Enterprise Zone Certificate for the new construction of a home by RSW Holdings LLC & Barrowstone Capital LLC be approved.

Adopted this 12th day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk



William A. Moulatsiotis
Register of Deeds
Muskegon County Michigan
5855026 D02

Liber: 4389 Page: 484
Page: 1 of 2
06/20/2025 02:21:04 PM

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to **RSW Holdings LLC & Barrowstone Capital LLC**, of 691 Ottawa Beach Road, Holland, MI, 49423, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

***See Attached Legal Descriptions**

for the sum of Three Thousand, and 00/100 Dollars (\$3,000.00)

PROVIDED, HOWEVER, Grantee, or its assigns, shall complete construction of one (1) single-family home on each parcel on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the homes and driveways. "Complete construction" means: (1) issuance of a residential building permits by the City of Muskegon; and (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwellings described in the said building permits. In the event of reversion of titles of the above-described premises, improvements made thereon shall become the property of Grantor.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 3rd day of June, 2025.

Signed in the presence of:

Linda Potter
Linda Potter

Michelle E. Bordeaux
Michelle E. Bordeaux

STATE OF MICHIGAN
COUNTY OF MUSKEGON

CITY OF MUSKEGON

By Ken Johnson
Ken Johnson, Its Mayor

and Ann Marie Meisch
Ann Marie Meisch, MMC, Its Clerk

Before me personally appeared in Muskegon County, Michigan, on June 3, 2025, by KEN JOHNSON and ANN MARIE MEISCH, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: Samantha Pulos
City of Muskegon Planning Dept.
933 Terrace St. Room 202
Muskegon, MI 49440
Telephone: 231/724-6702

Linda S. Potter
Linda S. Potter, Notary Public
Acting in the County of Muskegon
Muskegon County, Michigan
My Comm. Expires: 9-25-2030

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

File No.: 462607LKR

EXHIBIT "A"

Property situated in the City of Muskegon, County of Muskegon, and State of Michigan described as:

Parcel 1:

The Westerly 1/2 of Lot 3, Block 199, Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan, as recorded in Liber 3 of Plats, on Page 71, Muskegon County Records.

Parcel 2:

The Easterly 1/2 of Lot 3, Block 199, Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan, as recorded in Liber 3 of Plats, on Page 71, Muskegon County Records.

Tax ID: 61-24-205-199-0003-00 POLP New Parcel for 2026 61-24-205-199-0003-10
61-24-205-199-0003-00 POLP New Parcel for 2026 61-24-205-199-0003-01

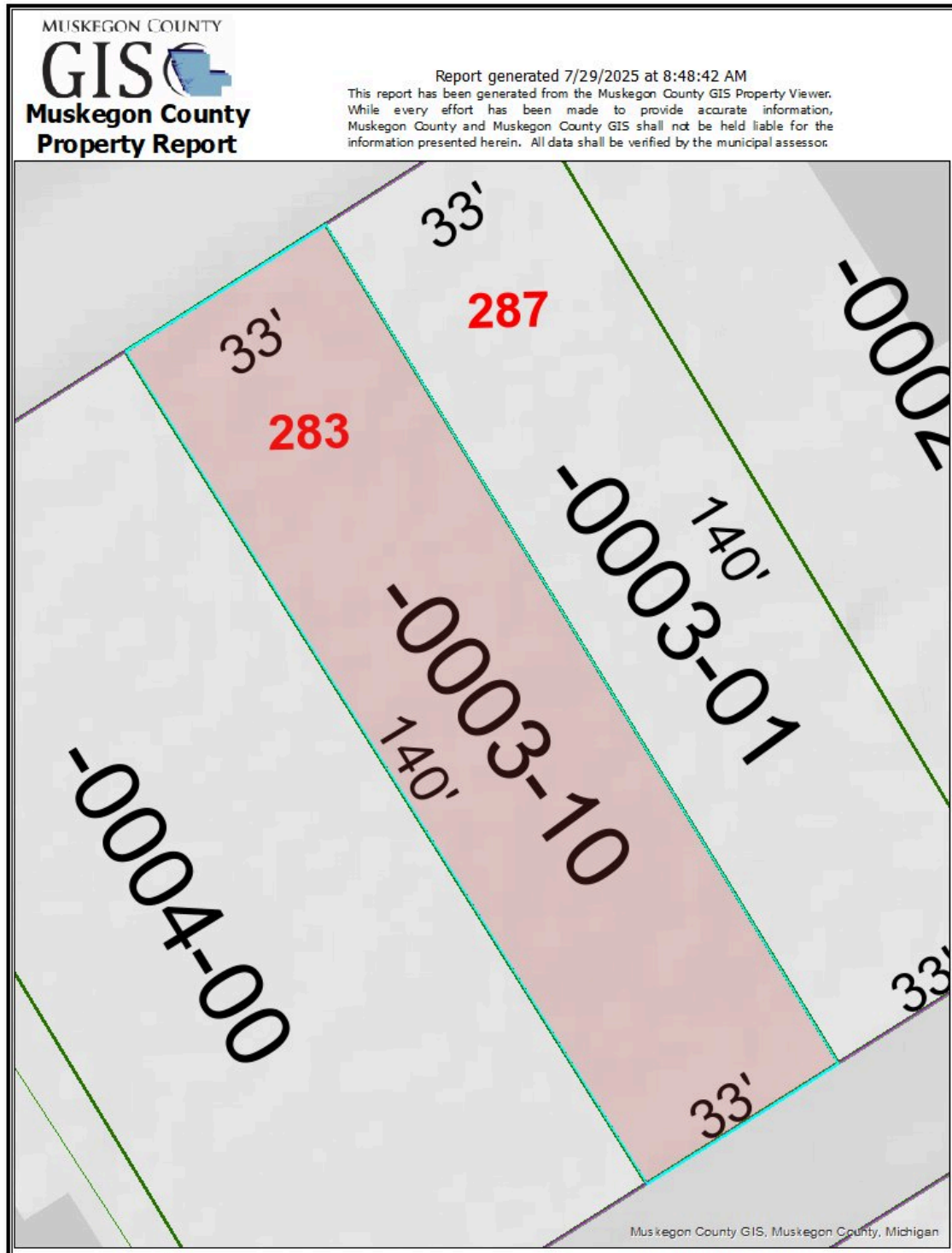


283 E. Walton Ave Property Report

Area of Interest (AOI) Information

Area : 4,634.87 ft²

Jul 29 2025 8:48:00 Eastern Daylight Time



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcels	1	4,634.87	N/A

Parcels

#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-205-199-0003-10	24	0.11	0.11	283	E	283 E WALTON AVE	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49442	CITY OF MUSKEGON	No Data	No Data	933 TERRACE ST	MUSKEGON	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49440	No Data	No Data	No Data	No Data	402	Residential - Vacant	61010

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft ²)
1	MUSKEGON CITY SCHOOL DIST	R	CITY OF MUSKEGON REVISED PLAT OF 1903 WLY 1/2 LOT 3 BLK 199	4,634.87

©2020 Muskegon County GIS Data reported herein is believed to be accurate and up to date, however Muskegon County and Muskegon County GIS make no warranty to the accuracy of the data. It is advised that before any decisions are made from this data, that the local assessor or building officials are contacted.

Michigan Department of Treasury
4775 (Rev. 02-23), Page 1

Application for Neighborhood Enterprise Zone Certificate

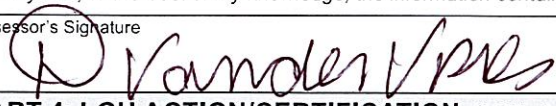
Issued under authority of Public Act 147 of 1992, as amended.

LOCAL GOVERNMENTAL UNIT USE ONLY	
▶ Application No.	▶ Date Received
STATE USE ONLY	
▶ Application No.	▶ Date Received

Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction except as provided in the instructions on page 3 under Owner/Developer/Applicant Instructions. Initially file completed application and required documents with the clerk of the local governmental unit. The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/DEVELOPER/APPLICANT INFORMATION (Applicant must complete all fields)				
Owner/Developer/Applicant Name RSW Holdings LLC & Barrowstone Capital LLC			Type of NEZ ☒ OPRA eligible community NEZ ☐ Workforce Housing NEZ	
Facility's Street Address 287 E Walton			Type of Approval Requested	
City Muskegon	State MI	ZIP Code 49442	☒ New Facility ☐ Rehabilitated Facility ☐ Transfer (1 copy only)	
Name of City, Township or Village (taxing authority) Muskegon			No. of years requested for exemption (6-15; 11-17 for qualified historic building) 15	
☒ City ☐ Township ☐ Village			Is the facility owned or rented by occupants? ☒ Owned ☐ Rented	
County Muskegon			Type of Property (check one) ☒ House ☐ Duplex ☐ Condo	
School District 61010			☐ Loft ☐ Apartment - No. of Units _____	
Name of LGU that established district City of Muskegon		Name or Number of Neighborhood Enterprise Zone Angell		Date district was established 10/22/2024
Identify who will complete the work ☒ Licensed Contractor ☐ Other _____			Estimated Project Cost (per unit) \$157,000.00	
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. For rehabilitation only, include Breakdown of Investment Costs. Use attachments if necessary. RSW Holdings LLC and Barrowstone Capital LLC are partnering to develop this parcel and build a 3bd/2bath single family home to sell. This is 1 of 7 parcels they have contracted with Sjaarda Homes to build and once complete will list for sale to the community with estimated sale price ranging from \$205-\$225k dependant on location and parcel size.				
Timetable for undertaking and completing the rehabilitation or construction of the facility.			Additional Timetable Information (if applicable)	
Begin Date 7/15/2025	End Date 5/15/2026		dependant on closing, building applications and weather, est 10-12 month timetable for all 7 homes	
PART 2: OWNER/DEVELOPER/APPLICANT CERTIFICATION				
Contact Name Ron Webb				
Contact Telephone Number (616) 291-2782			Contact Email Address ron.webb@cbgreatlakes.com	
Owner/Developer/Applicant Name Ron Webb/RSW Holdings & Taylor Webb/Barrowstone Capital LLC				
Owner/Developer/Applicant Telephone Number (616) 291-2782			Owner/Developer/Applicant Email Address ron.webb@cbgreatlakes.com	
Owner/Developer/Applicant Mailing Address 691 Ottawa Beach Rd.			City Holland	State MI
			ZIP Code 49424	
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.				
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.				
Owner/Developer/Applicant Signature 			Date 	
dotloop verified 07/08/25 8:04 AM EDT 9-HUC-F2RS-DANW-AQLD			dotloop verified 07/08/25 8:20 AM EDT L2HjJNMD-7CwJ-VLXR	

Continue on Page 2

PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU City of Muskegon			
Name of Assessor (First and last name) Donna VanderVries			
Telephone Number 231 750 6750		Email Address vandervriesdo@muskegoncounty.net	
I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.			
Assessor's Signature 			Date 7/30/25
PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)			
Action taken by LGU: ☐ Exemption Approved for _____ Years (6-15) ☐ Exemption Approved for _____ Years (11-17 qualified historic building) ☐ Exemption Denied (include Resolution Denying)		The State Tax Commission requires the following documents be filed for an administratively complete application: ☐ 1. Original Application ☐ 2. Legal description of the real property with parcel identification number ☐ 3. Resolution approving the zone. ☐ 4. Resolution approving the application. ☐ 5. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Date of resolution approving/denying this application			
Clerk's Name (First and Last)			
Telephone Number			
Email Address			
Mailing Address		City	State
			ZIP Code
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.			
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.			
Clerk Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Note: Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent by email or mail directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO APPROVE THE ISSUANCE
OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE**

WHEREAS, an application for a Neighborhood Enterprise Zone Certificate has been filed with the City Clerk by RSW Holdings LLC & Barrowstone Capital LLC to construct a new home at 287 E. Walton Ave. in the Angell neighborhood, and;

WHEREAS, the applicant has satisfied both the local and state eligibility criteria for a Neighborhood Enterprise Zone Certificate;

WHEREAS, the local unit of government is allowing the six (6) month grace period after construction commencement to apply, which is allowed under the law;

WHEREAS, the Neighborhood Enterprise Zone Certificate has been approved for fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED that the application for a Neighborhood Enterprise Zone Certificate for the new construction of a home by RSW Holdings LLC & Barrowstone Capital LLC be approved.

Adopted this 12th day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk



William A. Moulatsiotis
 Register of Deeds
 Muskegon County Michigan
 5855026 D02

Liber: 4389 Page: 484
 Page: 1 of 2
 06/20/2025 02:21:04 PM

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to **RSW Holdings LLC & Barrowstone Capital LLC**, of 691 Ottawa Beach Road, Holland, MI, 49423, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

***See Attached Legal Descriptions**

for the sum of Three Thousand, and 00/100 Dollars (\$3,000.00)

PROVIDED, HOWEVER, Grantee, or its assigns, shall complete construction of one (1) single-family home on each parcel on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the homes and driveways. "Complete construction" means: (1) issuance of a residential building permits by the City of Muskegon; and (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwellings described in the said building permits. In the event of reversion of titles of the above-described premises, improvements made thereon shall become the property of Grantor.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 3rd day of June, 2025.

Signed in the presence of:

Linda Potter
 Linda Potter
Michelle E. Bordeaux
 Michelle E. Bordeaux

STATE OF MICHIGAN
 COUNTY OF MUSKEGON

CITY OF MUSKEGON

By Ken Johnson
 Ken Johnson, Its Mayor
 and Ann Marie Meisch
 Ann Marie Meisch, MMC, Its Clerk

Before me personally appeared in Muskegon County, Michigan, on June 3, 2025, by KEN JOHNSON and ANN MARIE MEISCH, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: Samantha Pulos
 City of Muskegon Planning Dept.
 933 Terrace St. Room 202
 Muskegon, MI 49440
 Telephone: 231/724-6702

Linda S. Potter
 Linda S. Potter, Notary Public
 Acting in the County of Muskegon
Muskegon County, Michigan
 My Comm. Expires: 9-25-2030

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

File No.: 462607LKR

EXHIBIT "A"

Property situated in the City of Muskegon, County of Muskegon, and State of Michigan described as:

Parcel 1:

The Westerly 1/2 of Lot 3, Block 199, Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan, as recorded in Liber 3 of Plats, on Page 71, Muskegon County Records.

Parcel 2:

The Easterly 1/2 of Lot 3, Block 199, Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan, as recorded in Liber 3 of Plats, on Page 71, Muskegon County Records.

Tax ID: 61-24-205-199-0003-00 POLP New Parcel for 2026 61-24-205-199-0003-10
61-24-205-199-0003-00 POLP New Parcel for 2026 61-24-205-199-0003-01



287 E Walton Property Report

Area of Interest (AOI) Information

Area : 4,640 ft²

Jul 29 2025 10:30:30 Eastern Daylight Time



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcels	1	4,640.00	N/A

Parcels

#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-205-199-0003-01	24	0.11	0.11	287	E	287 E WALTON AVE	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49442	CITY OF MUSKEGON	No Data	No Data	933 TERRACE ST	MUSKEGON	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49440	No Data	No Data	No Data	No Data	402	Residential - Vacant	61010

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft ²)
1	MUSKEGON CITY SCHOOL DIST	R	CITY OF MUSKEGON REVISED PLAT OF 1903 ELY 1/2 LOT 3 BLK 199	4,640.00

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Michigan Department of Treasury
4775 (Rev. 02-23), Page 1

Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

LOCAL GOVERNMENTAL UNIT USE ONLY	
▶ Application No.	▶ Date Received
STATE USE ONLY	
▶ Application No.	▶ Date Received

Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction except as provided in the instructions on page 3 under Owner/Developer/Applicant Instructions. Initially file completed application and required documents with the clerk of the local governmental unit. The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/DEVELOPER/APPLICANT INFORMATION (Applicant must complete all fields)				
Owner/Developer/Applicant Name RSW Holdings LLC & Barrowstone Capital LLC		Type of NEZ ☒ OPRA eligible community NEZ ☐ Workforce Housing NEZ		
Facility's Street Address 286 Myrtle		Type of Approval Requested ☒ New Facility ☐ Rehabilitated Facility ☐ Transfer (1 copy only)		
City Muskegon	State MI	ZIP Code 49442	No. of years requested for exemption (6-15; 11-17 for qualified historic building) 15	
Name of City, Township or Village (taxing authority) Muskegon		Is the facility owned or rented by occupants? ☒ Owned ☐ Rented		
☒ City ☐ Township ☐ Village		Type of Property (check one) ☒ House ☐ Duplex ☐ Condo ☐ Loft ☐ Apartment - No. of Units _____		
County Muskegon				
School District 61010				
Name of LGU that established district City of Muskegon		Name or Number of Neighborhood Enterprise Zone Angell		Date district was established 10/22/2024
Identify who will complete the work ☒ Licensed Contractor ☐ Other _____		Estimated Project Cost (per unit) \$157,000.00		
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. For rehabilitation only, include Breakdown of Investment Costs. Use attachments if necessary. RSW Holdings LLC and Barrowstone Capital LLC are partnering to develop this parcel and build a 3bd/2bath single family home to sell. This is 1 of 7 parcels they have contracted with Sjaarda Homes to build and once complete will list for sale to the community with estimated sale price ranging from \$205-\$225k dependant on location and parcel size.				
Timetable for undertaking and completing the rehabilitation or construction of the facility.		Additional Timetable Information (if applicable)		
Begin Date 7/15/2025	End Date 5/15/2026	dependant on closing, buildinga applications and weather, est 10-12 month timetable for all 7 homes		
PART 2: OWNER/DEVELOPER/APPLICANT CERTIFICATION				
Contact Name Ron Webb				
Contact Telephone Number (616) 291-2782		Contact Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Name Ron Webb/RSW Holdings & Taylor Webb/Barrowstone Capital LLC				
Owner/Developer/Applicant Telephone Number (616) 291-2782		Owner/Developer/Applicant Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Mailing Address 691 Ottawa Beach Rd.		City Holland	State MI	ZIP Code 49424
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.				
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.				
Owner/Developer/Applicant Signature 		Date 		
dotloop verified 07/06/25 7:56 AM EDT G11Z-NKDZ-CTPB-UUVJ		dotloop verified 07/06/25 8:20 AM EDT FBDW-RTGH-QE05-J5NN		

Continue on Page 2

4775, Page 2

PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU <i>City of Muskegon</i>			
Name of Assessor (First and last name) <i>Danna VanderVries</i>			
Telephone Number <i>231 750 6750</i>		Email Address <i>vanderuriesdoo@muskegoncounty.net</i>	
I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.			
Assessor's Signature <i>Danna VanderVries</i>			Date <i>7/30/25</i>
PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)			
Action taken by LGU: ☐ Exemption Approved for _____ Years (6-15) ☐ Exemption Approved for _____ Years (11-17 qualified historic building) ☐ Exemption Denied (include Resolution Denying)		The State Tax Commission requires the following documents be filed for an administratively complete application: ☐ 1. Original Application ☐ 2. Legal description of the real property with parcel identification number ☐ 3. Resolution approving the zone. ☐ 4. Resolution approving the application. ☐ 5. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Date of resolution approving/denying this application			
Clerk's Name (First and Last)			
Telephone Number			
Email Address			
Mailing Address		City	State
		ZIP Code	
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.			
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.			
Clerk Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Note: Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent by email or mail directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO APPROVE THE ISSUANCE
OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE**

WHEREAS, an application for a Neighborhood Enterprise Zone Certificate has been filed with the City Clerk by RSW Holdings LLC & Barrowstone Capital LLC to construct a new home at 286 Myrtle Ave. in the Angell neighborhood, and;

WHEREAS, the applicant has satisfied both the local and state eligibility criteria for a Neighborhood Enterprise Zone Certificate;

WHEREAS, the local unit of government is allowing the six (6) month grace period after construction commencement to apply, which is allowed under the law;

WHEREAS, the Neighborhood Enterprise Zone Certificate has been approved for fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED that the application for a Neighborhood Enterprise Zone Certificate for the new construction of a home by RSW Holdings LLC & Barrowstone Capital LLC be approved.

Adopted this 12th day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk



286 Myrtle Ave Property Report

Area of Interest (AOI) Information

Area : 9,140.83 ft²

Jul 29 2025 10:37:45 Eastern Daylight Time



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcels	1	9,140.83	N/A

Parcels

#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-205-199-0008-00	24	0.21	0.21	286	No Data	286 MYRTLE AVE	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49442	CITY OF MUSKEGON	No Data	PO BOX 536	933 TERRACE ST	MUSKEGON	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49443-0536	0.00	0.00	0.00	0	201	Commercial - Improved	61010

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft ²)
1	MUSKEGON CITY SCHOOL DIST	R	CITY OF MUSKEGON REVISED PLAT 1903 LOT 8 BLK 199	9,140.83

©2020 Muskegon County GIS Data reported herein is believed to be accurate and up to date, however Muskegon County and Muskegon County GIS make no warranty to the accuracy of the data. It is advised that before any decisions are made from this data, that the local assessor or building officials are contacted.



Received & Sealed for Record
William A. Moulatsiotis Register of Deeds
Muskegon County Michigan

07/09/2025 12:59:14 PM Liber: 4390 Page: 840

William A. Moulatsiotis
Register of Deeds
Muskegon County Michigan
5856381 D02

Liber: 4390 Page: 840
Page: 1 of 2
07/09/2025 12:59:14 PM

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to **RSW Holdings LLC & Barrowstone Capital LLC**, of 691 Ottawa Beach Road, Holland, MI, 49423, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

***See Attached Legal Descriptions**

for the sum of Eight Thousand, Four Hundred, and 00/100 Dollars (\$8,400.00)

PROVIDED, HOWEVER, Grantee, or its assigns, shall complete construction of one (1) single-family home on each parcel on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the homes and driveways. "Complete construction" means: (1) issuance of a residential building permits by the City of Muskegon; and (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwellings described in the said building permits. In the event of reversion of titles of the above-described premises, improvements made thereon shall become the property of Grantor.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 23rd day of June, 2025.

Signed in the presence of:

Linda Potter
Linda Potter
Irene Dempsey
Irene Dempsey

CITY OF MUSKEGON

By Ken Johnson
Ken Johnson, Its Mayor
and Ann Marie Meisch
Ann Marie Meisch, MMC, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

Before me personally appeared in Muskegon County, Michigan, on 23rd of June, 2025, by KEN JOHNSON and ANN MARIE MEISCH, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: Samantha Pulos
City of Muskegon Planning Dept.
933 Terrace St. Room 202
Muskegon, MI 49440
Telephone: 231/724-6702

Linda S. Potter
Linda S. Potter, Notary Public
Acting in the County of Muskegon
Muskegon County, Michigan
My Comm. Expires: 9-25-2030

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

***LEGAL DESCRIPTIONS:**

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 WLY ½ LOT 8 BLK 199
Address: 286 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 ELY ½ LOT 8 BLK 199
Address: 294 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-10
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 1/2 LOT 12 BLK 41
Address: 518 OAK AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-041-0012-00
Price: \$2,400.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W ½ LOT 17 BLK 45
Address: 450 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E ½ LOT 17 BLK 45
Address: 454 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-10
Price: \$1,500.00

Michigan Department of Treasury
4775 (Rev. 02-23), Page 1

Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

LOCAL GOVERNMENTAL UNIT USE ONLY	
▶ Application No.	▶ Date Received
STATE USE ONLY	
▶ Application No.	▶ Date Received

Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction except as provided in the instructions on page 3 under Owner/Developer/Applicant Instructions. Initially file completed application and required documents with the clerk of the local governmental unit. The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/DEVELOPER/APPLICANT INFORMATION (Applicant must complete all fields)			
Owner/Developer/Applicant Name RSW Holdings LLC & Barrowstone Capital LLC		Type of NEZ ☒ OPRA eligible community NEZ ☐ Workforce Housing NEZ	
Facility's Street Address 294 Myrtle		Type of Approval Requested	
City Muskegon	State MI	☒ New Facility ☐ Rehabilitated Facility ☐ Transfer (1 copy only)	
ZIP Code 49442		No. of years requested for exemption (6-15; 11-17 for qualified historic building) 15	
Name of City, Township or Village (taxing authority) Muskegon		Is the facility owned or rented by occupants? ☒ Owned ☐ Rented	
☒ City ☐ Township ☐ Village		Type of Property (check one) ☒ House ☐ Duplex ☐ Condo ☐ Loft ☐ Apartment - No. of Units _____	
County Muskegon		School District 61010	
Name of LGU that established district City of Muskegon		Name or Number of Neighborhood Enterprise Zone Angell	Date district was established 10/22/2024
Identify who will complete the work ☒ Licensed Contractor ☐ Other _____		Estimated Project Cost (per unit) \$157,000.00	
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. For rehabilitation only, include Breakdown of Investment Costs. Use attachments if necessary. RSW Holdings LLC and Barrowstone Capital LLC are partnering to develop this parcel and build a 3bd/2bath single family home to sell. This is 1 of 7 parcels they have contracted with Sjaarda Homes to build and once complete will list for sale to the community with estimated sale price ranging from \$205-\$225k dependant on location and parcel size.			
Timetable for undertaking and completing the rehabilitation or construction of the facility.		Additional Timetable Information (if applicable)	
Begin Date 7/15/2025	End Date 5/15/2026	dependant on closing, buildinga applications and weather, est 10-12 month timetable for all 7 homes	
PART 2: OWNER/DEVELOPER/APPLICANT CERTIFICATION			
Contact Name Ron Webb			
Contact Telephone Number (616) 291-2782		Contact Email Address ron.webb@cbgreatlakes.com	
Owner/Developer/Applicant Name Ron Webb/RSW Holdings & Taylor Webb/Barrowstone Capital LLC			
Owner/Developer/Applicant Telephone Number (616) 291-2782		Owner/Developer/Applicant Email Address ron.webb@cbgreatlakes.com	
Owner/Developer/Applicant Mailing Address 691 Ottawa Beach Rd.		City Holland	State MI
		ZIP Code 49424	
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.			
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.			
Owner/Developer/Applicant Signature 		Date 	
dotloop verified 01/08/25 8:12 AM EDT WUIG-2DVS-CBK-WXWQ		dotloop verified 01/08/25 8:21 AM EDT 6LCU-MGV-VIRK-UB87	

Continue on Page 2

PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU City of Muskegon			
Name of Assessor (First and last name) Donna VanderVries			
Telephone Number 231 750 6750		Email Address vandervriesdo@muskegoncounty.net	
I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.			
Assessor's Signature Donna VanderVries			Date 7/30/25
PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)			
Action taken by LGU: ☐ Exemption Approved for _____ Years (6-15) ☐ Exemption Approved for _____ Years (11-17 qualified historic building) ☐ Exemption Denied (include Resolution Denying)		The State Tax Commission requires the following documents be filed for an administratively complete application: ☐ 1. Original Application ☐ 2. Legal description of the real property with parcel identification number ☐ 3. Resolution approving the zone. ☐ 4. Resolution approving the application. ☐ 5. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Date of resolution approving/denying this application			
Clerk's Name (First and Last)			
Telephone Number			
Email Address			
Mailing Address		City	State
			ZIP Code
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.			
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.			
Clerk Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Note: Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent by email or mail directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO APPROVE THE ISSUANCE
OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE**

WHEREAS, an application for a Neighborhood Enterprise Zone Certificate has been filed with the City Clerk by RSW Holdings LLC & Barrowstone Capital LLC to construct a new home at 294 Myrtle Ave. in the Angell neighborhood, and;

WHEREAS, the applicant has satisfied both the local and state eligibility criteria for a Neighborhood Enterprise Zone Certificate;

WHEREAS, the local unit of government is allowing the six (6) month grace period after construction commencement to apply, which is allowed under the law;

WHEREAS, the Neighborhood Enterprise Zone Certificate has been approved for fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED that the application for a Neighborhood Enterprise Zone Certificate for the new construction of a home by RSW Holdings LLC & Barrowstone Capital LLC be approved.

Adopted this 12th day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk



Received & Sealed for Record
William A. Moulatsiotis Register of Deeds
Muskegon County Michigan

07/09/2025 12:59:14 PM Liber: 4390 Page: 840

William A. Moulatsiotis
Register of Deeds
Muskegon County Michigan
5856381 D02

Liber: 4390 Page: 840
Page: 1 of 2
07/09/2025 12:59:14 PM

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to **RSW Holdings LLC & Barrowstone Capital LLC**, of 691 Ottawa Beach Road, Holland, MI, 49423, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

***See Attached Legal Descriptions**

for the sum of Eight Thousand, Four Hundred, and 00/100 Dollars (\$8,400.00)

PROVIDED, HOWEVER, Grantee, or its assigns, shall complete construction of one (1) single-family home on each parcel on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the homes and driveways. "Complete construction" means: (1) issuance of a residential building permits by the City of Muskegon; and (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwellings described in the said building permits. In the event of reversion of titles of the above-described premises, improvements made thereon shall become the property of Grantor.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 23rd day of June, 2025.

Signed in the presence of:

Linda Potter
Linda Potter

Irene Dempsey
Irene Dempsey

CITY OF MUSKEGON

By Ken Johnson
Ken Johnson, Its Mayor

and Ann Marie Meisch
Ann Marie Meisch, MMC, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

Before me personally appeared in Muskegon County, Michigan, on 23rd of June, 2025, by KEN JOHNSON and ANN MARIE MEISCH, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: Samantha Pulos
City of Muskegon Planning Dept.
933 Terrace St. Room 202
Muskegon, MI 49440
Telephone: 231/724-6702

Linda S. Potter
Linda S. Potter, Notary Public
Acting in the County of Muskegon
Muskegon County, Michigan
My Comm. Expires: 9-25-2030

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

***LEGAL DESCRIPTIONS:**

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 WLY ½ LOT 8 BLK 199
Address: 286 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 ELY ½ LOT 8 BLK 199
Address: 294 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-10
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 1/2 LOT 12 BLK 41
Address: 518 OAK AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-041-0012-00
Price: \$2,400.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W ½ LOT 17 BLK 45
Address: 450 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E ½ LOT 17 BLK 45
Address: 454 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-10
Price: \$1,500.00

Michigan Department of Treasury
4775 (Rev. 02-23), Page 1

Application for Neighborhood Enterprise Zone Certificate

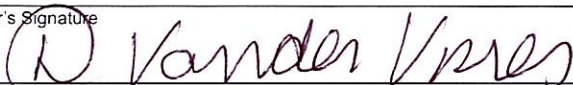
Issued under authority of Public Act 147 of 1992, as amended.

LOCAL GOVERNMENTAL UNIT USE ONLY	
▶ Application No.	▶ Date Received
STATE USE ONLY	
▶ Application No.	▶ Date Received

Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction except as provided in the instructions on page 3 under Owner/Developer/Applicant Instructions. Initially file completed application and required documents with the clerk of the local governmental unit. The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/DEVELOPER/APPLICANT INFORMATION (Applicant must complete all fields)				
Owner/Developer/Applicant Name RSW Holdings LLC & Barrowstone Capital LLC		Type of NEZ ☒ OPRA eligible community NEZ ☐ Workforce Housing NEZ		
Facility's Street Address 518 Oak		Type of Approval Requested ☒ New Facility ☐ Rehabilitated Facility ☐ Transfer (1 copy only)		
City Muskegon	State MI	ZIP Code 49442	No. of years requested for exemption (6-15; 11-17 for qualified historic building) 15	
Name of City, Township or Village (taxing authority) Muskegon		Is the facility owned or rented by occupants? ☒ Owned ☐ Rented		
☒ City ☐ Township ☐ Village		Type of Property (check one) ☒ House ☐ Duplex ☐ Condo ☐ Loft ☐ Apartment - No. of Units _____		
County Muskegon				
School District 61010				
Name of LGU that established district City of Muskegon		Name or Number of Neighborhood Enterprise Zone Angell		Date district was established 10/22/2024
Identify who will complete the work ☒ Licensed Contractor ☐ Other _____		Estimated Project Cost (per unit) \$157,000.00		
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. For rehabilitation only, include Breakdown of Investment Costs. Use attachments if necessary. RSW Holdings LLC and Barrowstone Capital LLC are partnering to develop this parcel and build a 3bd/2bath single family home to sell. This is 1 of 7 parcels they have contracted with Sjaarda Homes to build and once complete will list for sale to the community with estimated sale price ranging from \$205-\$225k dependant on location and parcel size.				
Timetable for undertaking and completing the rehabilitation or construction of the facility.		Additional Timetable Information (if applicable)		
Begin Date 7/15/2025	End Date 5/15/2026	dependant on closing, building applications and weather, est 10-12 month timetable for all 7 homes		
PART 2: OWNER/DEVELOPER/APPLICANT CERTIFICATION				
Contact Name Ron Webb				
Contact Telephone Number (616) 291-2782		Contact Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Name Ron Webb/RSW Holdings & Taylor Webb/Barrowstone Capital LLC				
Owner/Developer/Applicant Telephone Number (616) 291-2782		Owner/Developer/Applicant Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Mailing Address 691 Ottawa Beach Rd.		City Holland	State MI	ZIP Code 49424
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.				
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.				
Owner/Developer/Applicant Signature 		Date 		
dotloop verified 07/10/25 11:10 PM EDT ZTAL-PGVU-H7Q-UATC		dotloop verified 07/10/25 11:36 PM EDT 3HWY-HBVQ-PR93-GPWQ		

Continue on Page 2

PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll. ☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU City of Muskegon			
Name of Assessor (First and last name) Donna VanderVries			
Telephone Number 231 750 6750		Email Address VanderVriesdo@MuskegonCounty.net	
I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.			
Assessor's Signature 			Date 7/30/25
PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)			
Action taken by LGU: ☐ Exemption Approved for _____ Years (6-15) ☐ Exemption Approved for _____ Years (11-17 qualified historic building) ☐ Exemption Denied (include Resolution Denying)		The State Tax Commission requires the following documents be filed for an administratively complete application: ☐ 1. Original Application ☐ 2. Legal description of the real property with parcel identification number ☐ 3. Resolution approving the zone. ☐ 4. Resolution approving the application. ☐ 5. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Date of resolution approving/denying this application		City State ZIP Code	
Clerk's Name (First and Last)			
Telephone Number			
Email Address			
Mailing Address			
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone. I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.			
Clerk Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Note: Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent by email or mail directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO APPROVE THE ISSUANCE
OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE**

WHEREAS, an application for a Neighborhood Enterprise Zone Certificate has been filed with the City Clerk by RSW Holdings LLC & Barrowstone Capital LLC to construct a new home at 518 Oak Ave. in the Angell neighborhood, and;

WHEREAS, the applicant has satisfied both the local and state eligibility criteria for a Neighborhood Enterprise Zone Certificate;

WHEREAS, the local unit of government is allowing the six (6) month grace period after construction commencement to apply, which is allowed under the law;

WHEREAS, the Neighborhood Enterprise Zone Certificate has been approved for fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED that the application for a Neighborhood Enterprise Zone Certificate for the new construction of a home by RSW Holdings LLC & Barrowstone Capital LLC be approved.

Adopted this 12th day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk



Received & Sealed for Record
William A. Moulatsiotis Register of Deeds
Muskegon County Michigan

07/09/2025 12:59:14 PM Liber: 4390 Page: 840

William A. Moulatsiotis
Register of Deeds
Muskegon County Michigan
5856381 D02

Liber: 4390 Page: 840
Page: 1 of 2
07/09/2025 12:59:14 PM

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to **RSW Holdings LLC & Barrowstone Capital LLC**, of 691 Ottawa Beach Road, Holland, MI, 49423, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

***See Attached Legal Descriptions**

for the sum of Eight Thousand, Four Hundred, and 00/100 Dollars (\$8,400.00)

PROVIDED, HOWEVER, Grantee, or its assigns, shall complete construction of one (1) single-family home on each parcel on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the homes and driveways. "Complete construction" means: (1) issuance of a residential building permits by the City of Muskegon; and (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwellings described in the said building permits. In the event of reversion of titles of the above-described premises, improvements made thereon shall become the property of Grantor.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 23rd day of June, 2025.

Signed in the presence of:

Linda Potter
Linda Potter

Irene Dempsey
Irene Dempsey

CITY OF MUSKEGON

By Ken Johnson
Ken Johnson, Its Mayor

and Ann Marie Meisch
Ann Marie Meisch, MMC, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

Before me personally appeared in Muskegon County, Michigan, on 23rd of June, 2025, by KEN JOHNSON and ANN MARIE MEISCH, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: Samantha Pulos
City of Muskegon Planning Dept.
933 Terrace St. Room 202
Muskegon, MI 49440
Telephone: 231/724-6702

Linda S. Potter
Linda S. Potter, Notary Public
Acting in the County of Muskegon
Muskegon County, Michigan
My Comm. Expires: 9-25-2030

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

***LEGAL DESCRIPTIONS:**

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 WLY ½ LOT 8 BLK 199
Address: 286 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 ELY ½ LOT 8 BLK 199
Address: 294 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-10
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 1/2 LOT 12 BLK 41
Address: 518 OAK AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-041-0012-00
Price: \$2,400.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W ½ LOT 17 BLK 45
Address: 450 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E ½ LOT 17 BLK 45
Address: 454 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-10
Price: \$1,500.00

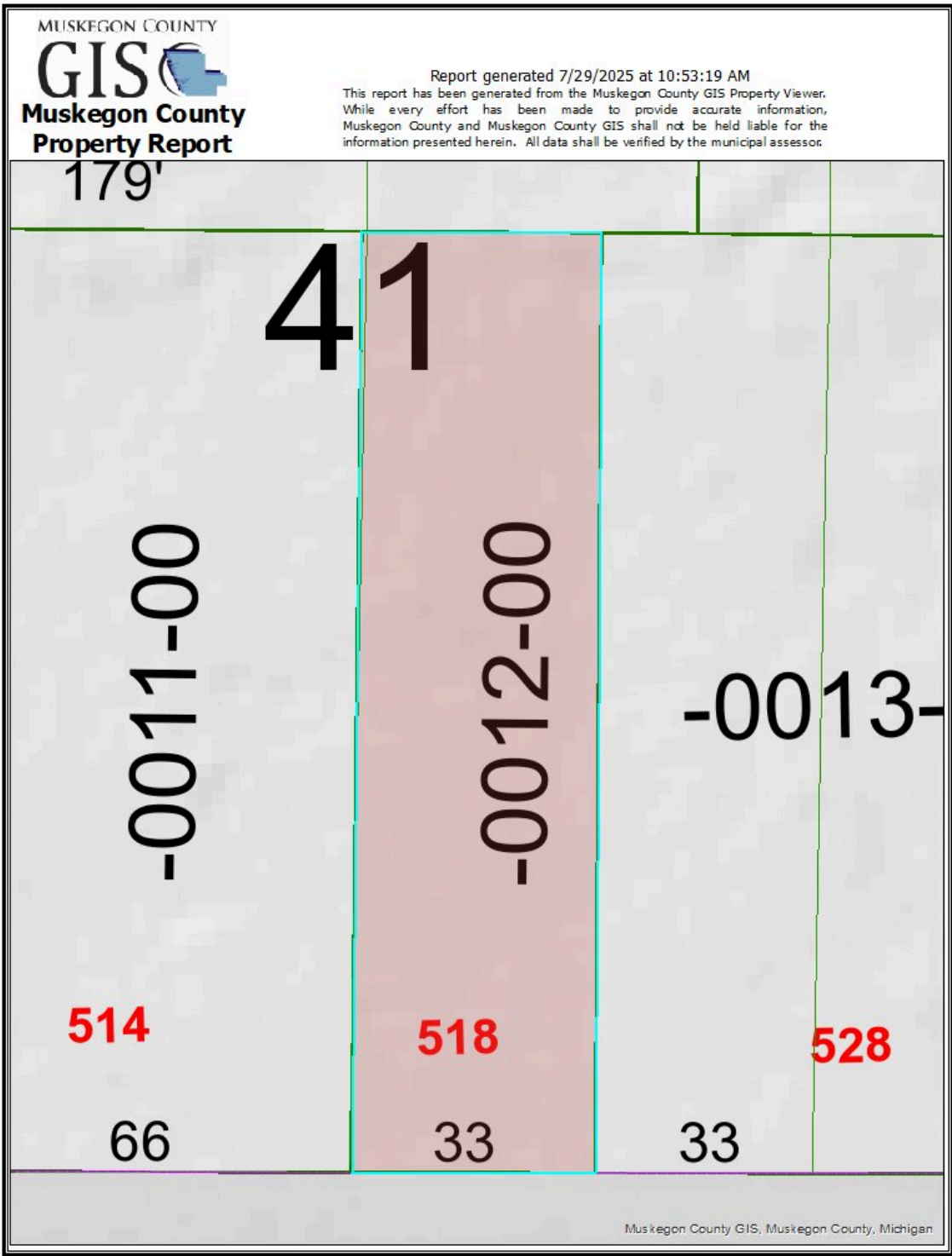


518 Oak Ave Property Report

Area of Interest (AOI) Information

Area : 4,642.65 ft²

Jul 29 2025 10:52:42 Eastern Daylight Time



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcels	1	4,642.65	N/A

Parcels

#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-205-041-0012-00	24	0.11	0.10	518	No Data	518 OAK AVE	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49442	CITY OF MUSKEGON	No Data	PO BOX 536	933 TERRACE ST	MUSKEGON	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49443	0.00	0.00	0.00	0	402	Residential - Vacant	61010

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft ²)
1	MUSKEGON CITY SCHOOL DIST	R	CITY OF MUSKEGON REVISED PLAT OF 1903 W 1/2 LOT 12 BLK 41	4,642.65

©2020 Muskegon County GIS Data reported herein is believed to be accurate and up to date, however Muskegon County and Muskegon County GIS make no warranty to the accuracy of the data. It is advised that before any decisions are made from this data, that the local assessor or building officials are contacted.

Michigan Department of Treasury
4775 (Rev. 02-23), Page 1

Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

LOCAL GOVERNMENTAL UNIT USE ONLY	
▶ Application No.	▶ Date Received
STATE USE ONLY	
▶ Application No.	▶ Date Received

Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction except as provided in the instructions on page 3 under Owner/Developer/Applicant Instructions. Initially file completed application and required documents with the clerk of the local governmental unit. The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/DEVELOPER/APPLICANT INFORMATION (Applicant must complete all fields)				
Owner/Developer/Applicant Name RSW Holdings LLC & Barrowstone Capital LLC		Type of NEZ ☒ OPRA eligible community NEZ ☐ Workforce Housing NEZ		
Facility's Street Address 450 Orchard		Type of Approval Requested ☒ New Facility ☐ Rehabilitated Facility ☐ Transfer (1 copy only)		
City Muskegon	State MI	ZIP Code 49442	No. of years requested for exemption (6-15; 11-17 for qualified historic building) 15	
Name of City, Township or Village (taxing authority) Muskegon		Is the facility owned or rented by occupants? ☒ Owned ☐ Rented		
☒ City ☐ Township ☐ Village		Type of Property (check one) ☒ House ☐ Duplex ☐ Condo ☐ Loft ☐ Apartment - No. of Units _____		
County Muskegon				
School District 61010				
Name of LGU that established district City of Muskegon		Name or Number of Neighborhood Enterprise Zone Angell		Date district was established 10/22/2024
Identify who will complete the work ☒ Licensed Contractor ☐ Other _____		Estimated Project Cost (per unit) \$157,000.00		
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. For rehabilitation only, include Breakdown of Investment Costs. Use attachments if necessary. RSW Holdings LLC and Barrowstone Capital LLC are partnering to develop this parcel and build a 3bd/2bath single family home to sell. This is 1 of 7 parcels they have contracted with Sjaarda Homes to build and once complete will list for sale to the community with estimated sale price ranging from \$205-\$225k dependant on location and parcel size.				
Timetable for undertaking and completing the rehabilitation or construction of the facility.		Additional Timetable Information (if applicable)		
Begin Date 7/15/2025	End Date 5/15/2026	dependant on closing, buildinga applications and weather, est 10-12 month timetable for all 7 homes		
PART 2: OWNER/DEVELOPER/APPLICANT CERTIFICATION				
Contact Name Ron Webb				
Contact Telephone Number (616) 291-2782		Contact Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Name Ron Webb/RSW Holdings & Taylor Webb/Barrowstone Capital LLC				
Owner/Developer/Applicant Telephone Number (616) 291-2782		Owner/Developer/Applicant Email Address ron.webb@cbgreatlakes.com		
Owner/Developer/Applicant Mailing Address 691 Ottawa Beach Rd.		City Holland	State MI	ZIP Code 49424
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.				
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.				
Owner/Developer/Applicant Signature <i>Ron Webb</i>		Date 07/10/25 11:37 PM EDT SKVL-EKNU-LHY2-WWRI		
dotloop verified 07/10/25 11:12 PM EDT 7YKC-JRYS-OAMY-QV6C		Taylor Webb dotloop verified 07/10/25 11:37 PM EDT SKVL-EKNU-LHY2-WWRI		

Continue on Page 2

PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU <i>City of Muskegon</i>			
Name of Assessor (First and last name) <i>Danna VanderVries</i>			
Telephone Number <i>231 750 6750</i>		Email Address <i>vanderuriesdo@muskegoncounty.net</i>	
I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.			
Assessor's Signature <i>[Signature]</i>			Date <i>2/30/25</i>
PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)			
Action taken by LGU: ☐ Exemption Approved for _____ Years (6-15) ☐ Exemption Approved for _____ Years (11-17 qualified historic building) ☐ Exemption Denied (include Resolution Denying)		The State Tax Commission requires the following documents be filed for an administratively complete application: ☐ 1. Original Application ☐ 2. Legal description of the real property with parcel identification number ☐ 3. Resolution approving the zone. ☐ 4. Resolution approving the application. ☐ 5. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Date of resolution approving/denying this application			
Clerk's Name (First and Last)			
Telephone Number			
Email Address			
Mailing Address		City	State ZIP Code
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.			
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.			
Clerk Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Note: Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent by email or mail directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO APPROVE THE ISSUANCE
OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE**

WHEREAS, an application for a Neighborhood Enterprise Zone Certificate has been filed with the City Clerk by RSW Holdings LLC & Barrowstone Capital LLC to construct a new home at 450 Orchard Ave. in the Angell neighborhood, and;

WHEREAS, the applicant has satisfied both the local and state eligibility criteria for a Neighborhood Enterprise Zone Certificate;

WHEREAS, the local unit of government is allowing the six (6) month grace period after construction commencement to apply, which is allowed under the law;

WHEREAS, the Neighborhood Enterprise Zone Certificate has been approved for fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED that the application for a Neighborhood Enterprise Zone Certificate for the new construction of a home by RSW Holdings LLC & Barrowstone Capital LLC be approved.

Adopted this 12th day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

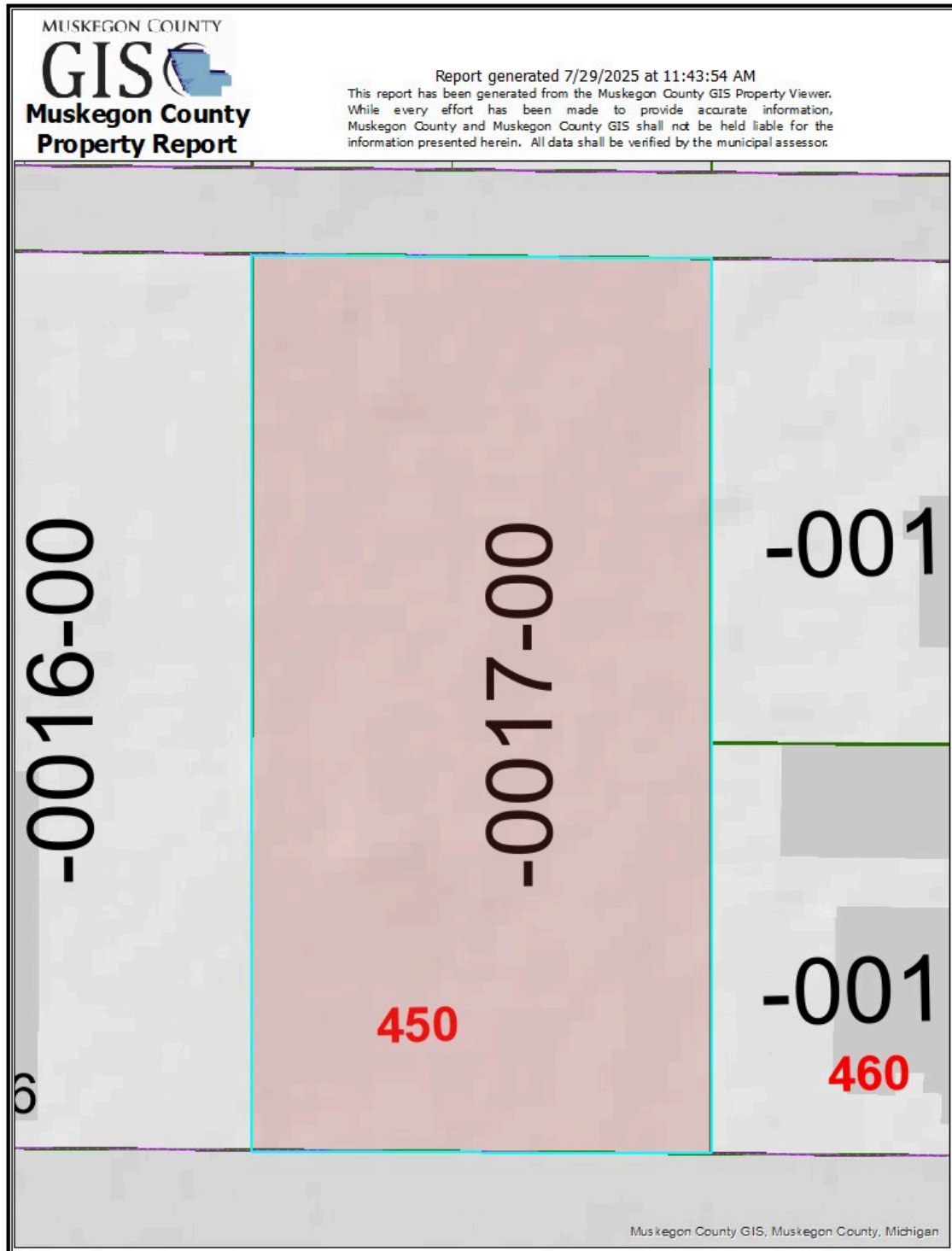


450 Orchard Ave Property Report

Area of Interest (AOI) Information

Area : 8,361.83 ft²

Jul 29 2025 11:43:16 Eastern Daylight Time



Summary

Name	Count	Area(ft ²)	Length(ft)
Parcels	1	8,361.83	N/A

Parcels

#	PIN	Municipality Code	Acreage per GIS	Acreage per Assessor	Property Address Number	Property Address Direction	Property Address Combined	Property Address City
1	61-24-205-045-0017-00	24	0.19	0.20	450	No Data	450 ORCHARD AVE	MUSKEGON

#	Property Address State	Property Address Zip Code	Owner Name 1	Owner Name 2	Owner Care Of	Owner Address	Owner Address City	Owner Address State
1	MI	49442	CITY OF MUSKEGON	No Data	PO BOX 536	933 TERRACE ST	MUSKEGON	MI

#	Owner Address Zip Code	Assessed Value	State Equalized Value	Taxable Value	PRE Homestead Pct	Property Class Code	Property Class Description	School District Code
1	49443	0.00	0.00	0.00	0	402	Residential - Vacant	61010

#	School District Name	Zoning per Assessor Primary	Tax Description	Area(ft ²)
1	MUSKEGON CITY SCHOOL DIST	R	CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 17 BLK 45	8,361.83

©2020 Muskegon County GIS Data reported herein is believed to be accurate and up to date, however Muskegon County and Muskegon County GIS make no warranty to the accuracy of the data. It is advised that before any decisions are made from this data, that the local assessor or building officials are contacted.



Received & Sealed for Record
William A. Moulatsiotis Register of Deeds
Muskegon County Michigan

07/09/2025 12:59:14 PM Liber: 4390 Page: 840

William A. Moulatsiotis
Register of Deeds
Muskegon County Michigan
5856381 D02

Liber: 4390 Page: 840
Page: 1 of 2
07/09/2025 12:59:14 PM

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to **RSW Holdings LLC & Barrowstone Capital LLC**, of 691 Ottawa Beach Road, Holland, MI, 49423, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

***See Attached Legal Descriptions**

for the sum of Eight Thousand, Four Hundred, and 00/100 Dollars (\$8,400.00)

PROVIDED, HOWEVER, Grantee, or its assigns, shall complete construction of one (1) single-family home on each parcel on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the homes and driveways. "Complete construction" means: (1) issuance of a residential building permits by the City of Muskegon; and (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwellings described in the said building permits. In the event of reversion of titles of the above-described premises, improvements made thereon shall become the property of Grantor.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 23rd day of June, 2025.

Signed in the presence of:

Linda Potter
Linda Potter
Irene Dempsey
Irene Dempsey

CITY OF MUSKEGON

By Ken Johnson
Ken Johnson, Its Mayor
and Ann Marie Meisch
Ann Marie Meisch, MMC, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

Before me personally appeared in Muskegon County, Michigan, on 23rd of June, 2025, by KEN JOHNSON and ANN MARIE MEISCH, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: Samantha Pulos
City of Muskegon Planning Dept.
933 Terrace St. Room 202
Muskegon, MI 49440
Telephone: 231/724-6702

Linda S. Potter
Linda S. Potter, Notary Public
Acting in the County of Muskegon
Muskegon County, Michigan
My Comm. Expires: 9-25-2030

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

***LEGAL DESCRIPTIONS:**

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 WLY ½ LOT 8 BLK 199
Address: 286 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 ELY ½ LOT 8 BLK 199
Address: 294 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-10
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 1/2 LOT 12 BLK 41
Address: 518 OAK AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-041-0012-00
Price: \$2,400.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W ½ LOT 17 BLK 45
Address: 450 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E ½ LOT 17 BLK 45
Address: 454 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-10
Price: \$1,500.00

Michigan Department of Treasury
4775 (Rev. 02-23), Page 1

Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

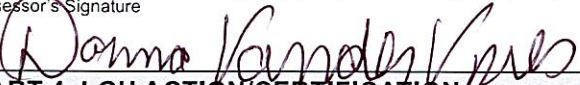
LOCAL GOVERNMENTAL UNIT USE ONLY	
▶ Application No.	▶ Date Received

STATE USE ONLY	
▶ Application No.	▶ Date Received

Read the instructions before completing the application. This application must be filed prior to building permit issuance and start of construction except as provided in the instructions on page 3 under Owner/Developer/Applicant Instructions. Initially file completed application and required documents with the clerk of the local governmental unit. The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/DEVELOPER/APPLICANT INFORMATION (Applicant must complete all fields)			
Owner/Developer/Applicant Name RSW Holdings LLC & Barrowstone Capital LLC		Type of NEZ ☒ OPRA eligible community NEZ ☐ Workforce Housing NEZ	
Facility's Street Address 454 Orchard		Type of Approval Requested ☒ New Facility ☐ Rehabilitated Facility ☐ Transfer (1 copy only)	
City Muskegon	State MI	ZIP Code 49442	
Name of City, Township or Village (taxing authority) Muskegon		No. of years requested for exemption (6-15; 11-17 for qualified historic building) 15	
☒ City ☐ Township ☐ Village		Is the facility owned or rented by occupants? ☒ Owned ☐ Rented	
County Muskegon		Type of Property (check one) ☒ House ☐ Duplex ☐ Condo ☐ Loft ☐ Apartment - No. of Units _____	
School District 61010			
Name of LGU that established district City of Muskegon		Name or Number of Neighborhood Enterprise Zone Angell	Date district was established 10/22/2024
Identify who will complete the work ☒ Licensed Contractor ☐ Other _____		Estimated Project Cost (per unit) \$157,000.00	
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. For rehabilitation only, include Breakdown of Investment Costs. Use attachments if necessary. RSW Holdings LLC and Barrowstone Capital LLC are partnering to develop this parcel and build a 3bd/2bath single family home to sell. This is 1 of 7 parcels they have contracted with Sjaarda Homes to build and once complete will list for sale to the community with estimated sale price ranging from \$205-\$225k dependant on location and parcel size.			
Timetable for undertaking and completing the rehabilitation or construction of the facility. Begin Date 7/15/2025 End Date 5/15/2026		Additional Timetable Information (if applicable) dependant on closing, building applications and weather, est 10-12 month timetable for all 7 homes	
PART 2: OWNER/DEVELOPER/APPLICANT CERTIFICATION			
Contact Name Ron Webb			
Contact Telephone Number (616) 291-2782		Contact Email Address ron.webb@cbgreatlakes.com	
Owner/Developer/Applicant Name Ron Webb/RSW Holdings & Taylor Webb/Barrowstone Capital LLC			
Owner/Developer/Applicant Telephone Number (616) 291-2782		Owner/Developer/Applicant Email Address ron.webb@cbgreatlakes.com	
Owner/Developer/Applicant Mailing Address 691 Ottawa Beach Rd.		City Holland	State MI
		ZIP Code 49424	
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.			
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.			
Owner/Developer/Applicant Signature <i>Ron Webb</i>		Date 07/10/25 11:37 PM EDT GTXY-FU7G-WVFK-SFUA	
dotloop verified 07/10/25 11:14 PM EDT Q7XQ-TUHS-ZZXX-CQ9I		Taylor Webb	

Continue on Page 2

PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU City of Muskegon			
Name of Assessor (First and last name) Donna Vander-Vries			
Telephone Number 231 750 6750		Email Address vandervriesd@muskegoncounty.net	
I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.			
Assessor's Signature 			Date 7/30/25
PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)			
Action taken by LGU: ☐ Exemption Approved for _____ Years (6-15) ☐ Exemption Approved for _____ Years (11-17 qualified historic building) ☐ Exemption Denied (include Resolution Denying)		The State Tax Commission requires the following documents be filed for an administratively complete application: ☐ 1. Original Application ☐ 2. Legal description of the real property with parcel identification number ☐ 3. Resolution approving the zone. ☐ 4. Resolution approving the application. ☐ 5. REHABILITATION APPLICATIONS ONLY. Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Date of resolution approving/denying this application			
Clerk's Name (First and Last)			
Telephone Number			
Email Address			
Mailing Address		City	State
			ZIP Code
I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.			
I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.			
Clerk Signature			Date

For faster service, the LGU should email the completed application and required documents to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

Michigan Department of Treasury, State Tax Commission
P.O. Box 30471
Lansing, MI 48909

Note: Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent by email or mail directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO APPROVE THE ISSUANCE
OF A NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE**

WHEREAS, an application for a Neighborhood Enterprise Zone Certificate has been filed with the City Clerk by RSW Holdings LLC & Barrowstone Capital LLC to construct a new home at 454 Orchard Ave. in the Angell neighborhood, and;

WHEREAS, the applicant has satisfied both the local and state eligibility criteria for a Neighborhood Enterprise Zone Certificate;

WHEREAS, the local unit of government is allowing the six (6) month grace period after construction commencement to apply, which is allowed under the law;

WHEREAS, the Neighborhood Enterprise Zone Certificate has been approved for fifteen (15) years;

NOW, THEREFORE, BE IT RESOLVED that the application for a Neighborhood Enterprise Zone Certificate for the new construction of a home by RSW Holdings LLC & Barrowstone Capital LLC be approved.

Adopted this 12th day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk



Received & Sealed for Record
William A. Moulatsiotis Register of Deeds
Muskegon County Michigan
07/09/2025 12:59:14 PM Liber: 4390 Page: 840

William A. Moulatsiotis
Register of Deeds
Muskegon County Michigan
5856381 D02

Liber: 4390 Page: 840
Page: 1 of 2
07/09/2025 12:59:14 PM

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the **CITY OF MUSKEGON**, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to **RSW Holdings LLC & Barrowstone Capital LLC**, of 691 Ottawa Beach Road, Holland, MI, 49423, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

***See Attached Legal Descriptions**

for the sum of Eight Thousand, Four Hundred, and 00/100 Dollars (\$8,400.00)

PROVIDED, HOWEVER, Grantee, or its assigns, shall complete construction of one (1) single-family home on each parcel on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns. In addition, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. Buyer shall remove only those trees necessary for construction of the homes and driveways. "Complete construction" means: (1) issuance of a residential building permits by the City of Muskegon; and (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwellings described in the said building permits. In the event of reversion of titles of the above-described premises, improvements made thereon shall become the property of Grantor.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 23rd day of June, 2025.

Signed in the presence of:

Linda Potter
Linda Potter
Irene Dempsey
Irene Dempsey

CITY OF MUSKEGON

By Ken Johnson
Ken Johnson, Its Mayor
and Ann Marie Meisch
Ann Marie Meisch, MMC, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

Before me personally appeared in Muskegon County, Michigan, on 23rd of June, 2025, by KEN JOHNSON and ANN MARIE MEISCH, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: Samantha Pulos
City of Muskegon Planning Dept.
933 Terrace St. Room 202
Muskegon, MI 49440
Telephone: 231/724-6702

Linda S. Potter
Linda S. Potter, Notary Public
Acting in the County of Muskegon
Muskegon County, Michigan
My Comm. Expires: 9-25-2030

WHEN RECORDED RETURN TO: Grantees

SEND SUBSEQUENT TAX BILLS TO: Grantees

***LEGAL DESCRIPTIONS:**

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 WLY ½ LOT 8 BLK 199
Address: 286 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-01
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 ELY ½ LOT 8 BLK 199
Address: 294 MYRTLE AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-199-0008-10
Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 1/2 LOT 12 BLK 41
Address: 518 OAK AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-041-0012-00
Price: \$2,400.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W ½ LOT 17 BLK 45
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Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E ½ LOT 17 BLK 45
Address: 454 ORCHARD AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-045-0017-10
Price: \$1,500.00

Resolution No. 2024-90(A)

MUSKEGON CITY COMMISSION

RESOLUTION TO CREATE AND AMEND NEIGHBORHOOD ENTERPRIZE ZONE DISTRICTS WITHIN
THE CITY OF MUSKEGON

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City pursuant to Public Act 147 of the Michigan Public Acts of 1992, and;

WHEREAS, the City of Muskegon would like to amend existing Neighborhood Enterprise Zone districts to new locations within the City, and;

WHEREAS, the City of Muskegon would like to remove certain areas from the Neighborhood Enterprise Zone and;

WHEREAS, notices were sent to the local taxing jurisdictions on October 10, 2024, and;

WHEREAS, a public hearing was held regarding the creation of this new district on October 22, 2024 at a regular commission meeting of the City of Muskegon; and;

WHEREAS, the old district boundaries will include properties as shown in Exhibit A, and;

WHEREAS, the new and removed boundaries will include properties as shown in Exhibit B, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City pursuant to the Act;

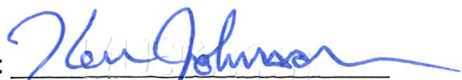
NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone districts in the City of Muskegon have been approved.

Adopted this 22nd day of October, 2024.

Ayes: Gorman, Kochin, St.Clair, Johnson, Kilgo, Keener, and German

Nays: None

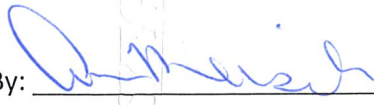
Absent: None

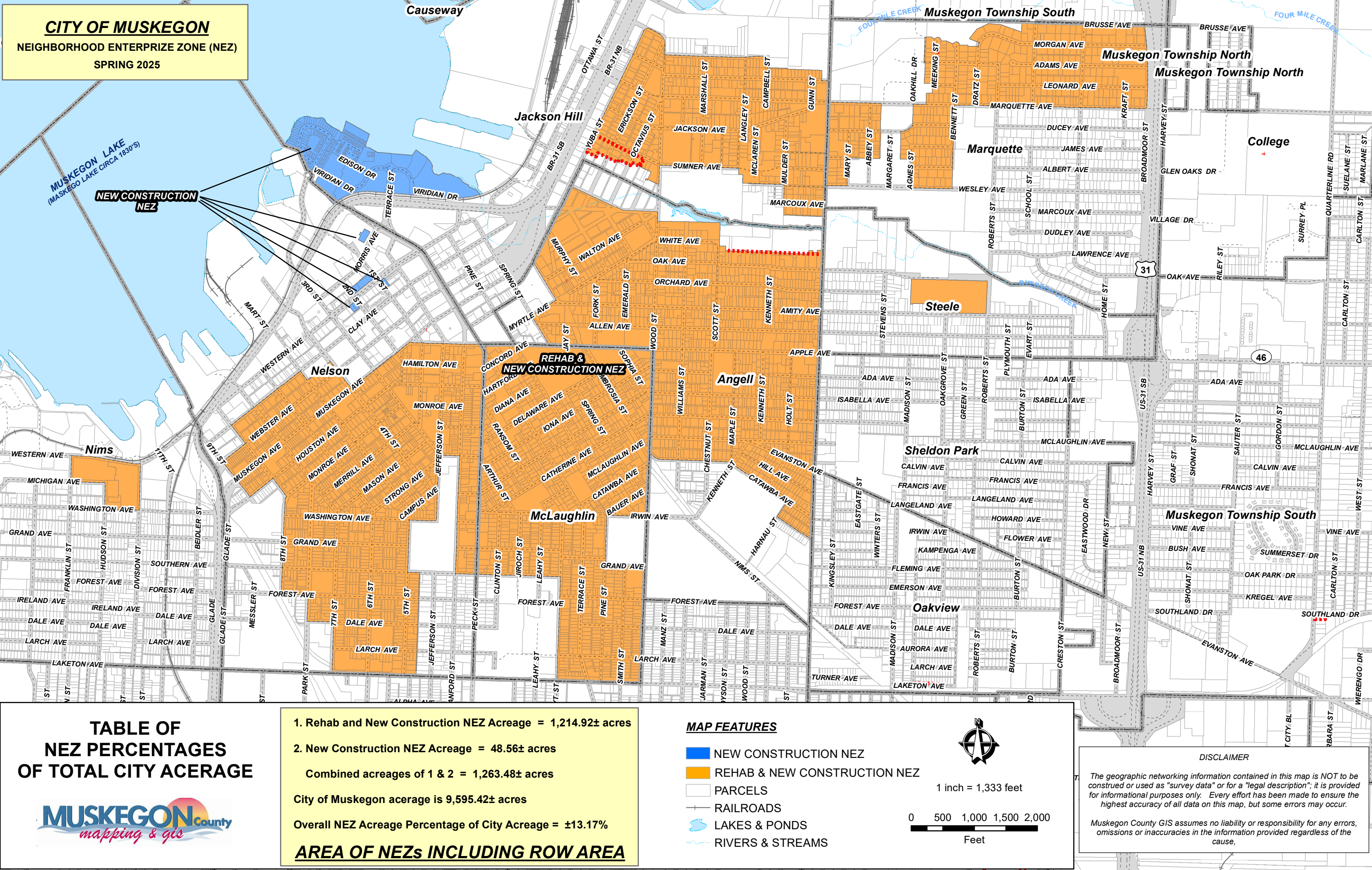
By: 
Ken Johnson, Mayor

Attest: 
Ann Meisch City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on October 22, 2024.

By: 
Ann Meisch City Clerk



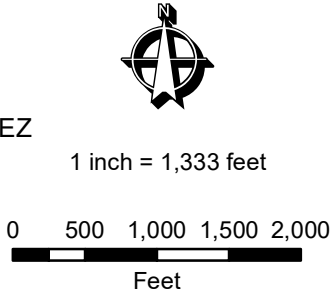
CITY OF MUSKEGON
NEIGHBORHOOD ENTERPRIZE ZONE (NEZ)
SPRING 2025

TABLE OF NEZ PERCENTAGES OF TOTAL CITY ACERAGE	
	1. Rehab and New Construction NEZ Acreage = 1,214.92± acres
	2. New Construction NEZ Acreage = 48.56± acres
	Combined acreages of 1 & 2 = 1,263.48± acres
	City of Muskegon acreage is 9,595.42± acres
Overall NEZ Acreage Percentage of City Acreage = ±13.17%	
AREA OF NEZs INCLUDING ROW AREA	

1. Rehab and New Construction NEZ Acreage = 1,214.92± acres	
2. New Construction NEZ Acreage = 48.56± acres	
Combined acreages of 1 & 2 = 1,263.48± acres	
City of Muskegon acreage is 9,595.42± acres	
Overall NEZ Acreage Percentage of City Acreage = ±13.17%	
AREA OF NEZs INCLUDING ROW AREA	

MAP FEATURES

- NEW CONSTRUCTION NEZ
- REHAB & NEW CONSTRUCTION NEZ
- PARCELS
- RAILROADS
- LAKES & PONDS
- RIVERS & STREAMS



DISCLAIMER

The geographic networking information contained in this map is NOT to be construed or used as "survey data" or for a "legal description"; it is provided for informational purposes only. Every effort has been made to ensure the highest accuracy of all data on this map, but some errors may occur.

Muskegon County GIS assumes no liability or responsibility for any errors, omissions or inaccuracies in the information provided regardless of the cause.



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Approval of Minutes															
Submitted by: Ann Meisch, City Clerk	Department: City Clerk															
Brief Summary: To approve minutes of the July 22, 2025, City Commission Meeting.																
Detailed Summary & Background:																
<u>Goal/Action Item:</u>																
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																
Amount Requested:	Budgeted Item: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>x</td><td></td></tr></table>	Yes		No		N/A	x									
Yes		No		N/A	x											
Fund(s) or Account(s):	Budget Amendment Needed: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>x</td><td></td></tr></table>	Yes		No		N/A	x									
Yes		No		N/A	x											
Recommended Motion: Approval of the minutes.																
Approvals: <table border="1"><tr><td>Immediate Division Head</td><td></td><td></td></tr><tr><td>Information Technology</td><td></td><td></td></tr><tr><td>Other Division Heads</td><td></td><td></td></tr><tr><td>Communication</td><td></td><td></td></tr><tr><td>Legal Review</td><td></td><td></td></tr></table>	Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			<u>Name the Policy/Ordinance Followed:</u>
Immediate Division Head																
Information Technology																
Other Division Heads																
Communication																
Legal Review																

CITY OF MUSKEGON

CITY COMMISSION MEETING

July 22, 2025 @ 5:30 PM

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30 PM, Tuesday, July 22, 2025. Pastor Matt Luchenbill from the Cornerstone PCA Church, opened the meeting with prayer, after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Mayor Ken Johnson, Vice Mayor Rebecca St. Clair, Commissioners Jay Kilgo, Willie German, Jr., Rachel Gorman, and Katrina Kochin, Deputy City Manager LeighAnn Mikesell, City Attorney John Schrier, and City Clerk Ann Marie Meisch

Absent: Commissioner Destinee Keener

2025-59 HONORS, AWARDS, AND PRESENTATIONS

A. Introduction of Jessica Grimm, Election Coordinator City Clerk

City Clerk Ann Marie Meisch introduced Jessica Grimm, our new Election Coordinator, to the Commission and public.

2025-60 PUBLIC HEARINGS

A. Request to establish a Plant Rehabilitation District at 701 W. Laketon Ave. Economic Development

Pursuant to Public Act 198 of 1974, as amended, SRS Fiberglass Products, 1041 E. Laketon Ave., Muskegon, MI has requested the establishment of a Plant Rehabilitation District for property located at 701 W. Laketon Ave., Muskegon, MI.

SRS Fiberglass Products has submitted a request to establish a Plant Rehabilitation District at 701 W. Laketon Avenue, the former Great Lakes Die Cast facility.

SRS is in the process of launching a new company to support and expand their current fiberglass product operations. The new entity plans to make significant capital investments into rehabilitating the facility and anticipates creating over 50 high-paying jobs within the next two years.

According to Public Act 198 of 1974, as amended, the creation of a Plant Rehabilitation District is a required first step before a business can apply for an Industrial Facilities Tax (IFT) Exemption Certificate, which provides a property tax abatement on qualified real property investments.

STAFF RECOMMENDATION: I move to close the public hearing and approve the resolution establishing a Plant Rehabilitation District at 701 W. Laketon Ave. and authorize the City Clerk and Mayor to sign.

The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Commissioner Kilgo, second by Commissioner Kochin, to close the public hearing and approve the resolution establishing a Plant Rehabilitation District at 701 W. Laketon Ave. and authorize the City Clerk and Mayor to sign.

ROLL VOTE: Ayes: Kilgo, German, Gorman, Kochin, St.Clair, and Johnson

Nays: None

MOTION PASSES

B. Request to establish a Commercial Rehabilitation District at 1700 Oak Ave. Economic Development

Pursuant to Public Act 210 of 2005, as amended, Muskegon-Central Park, LLC is requesting the establishment of a Commercial Rehabilitation District (PA 210) at 1700 Oak Ave. to support further development at 1700 Oak Ave.

Muskegon-Central Park, LLC has submitted a request to establish a Commercial Rehabilitation District at 1700 Oak Avenue. Establishing the district would enable the property owner to apply for a Commercial Rehabilitation Certificate under Public Act 210 of 2005. If approved, the certificate would freeze the building's taxable value and exempt new real property investment from local property taxes for a period of up to 10 years, while school operating taxes would still apply.

The proposed project involves the demolition of the former General Hospital site and the construction of six (6) new three-story multi-family residential buildings. The total capital investment is estimated at \$21,000,000.

The development is expected to create three (3) permanent full-time jobs, and approximately 100 construction jobs during the redevelopment phase.

This investment will revitalize a long-vacant site and support the continued growth of high-quality housing options within the City.

STAFF RECOMMENDATION: I move to close the public hearing and approve the

resolution establishing a Commercial Rehabilitation District at 1700 Oak Ave. and authorize the City Clerk and Mayor to sign.
The Public Hearing opened to hear and consider any comments from the public. No public comments were made.

Motion by Vice Mayor St.Clair, second by Commissioner Kochin, to close the public hearing and approve the resolution establishing a Commercial Rehabilitation District at 1700 Oak Ave. and authorize the City Clerk and Mayor to sign.

**ROLL VOTE: Ayes: German, Gorman, Kochin, St.Clair, Johnson, and Kilgo
Nays: None**

MOTION PASSES

PUBLIC COMMENT ON AGENDA ITEMS

Public comments received.

2025-61 CONSENT AGENDA

A. Approval of Minutes City Clerk

To approve minutes of the July 8, 2025, City Commission Meeting.

STAFF RECOMMENDATION: Approval of the minutes.

**B. Filtration Plant Air Wash Variable Frequency Drives (VFDS)
Replacement** Public Works

Staff is requesting authorization to purchase two Eaton variable frequency drives (VFDs) to replace existing units for our filter backwash system at the Water Filtration Plant.

The filter backwash system at the Water Filtration Plant has two air blowers, each with a variable frequency drive (VFD) manufactured by Eaton. VFDs are used to control the speed of the electric motors that drive the air blowers. These VFDs were installed in 2004 and have reached the end of their expected life. One of the two units began to fail last year and is showing continued signs of failing. Due to their age, staff recommends replacing both units with Eaton VFDs. Other bids were not solicited at this time because of the advantages to staying with Eaton. This purchase is covered by the Water Filtration Plant's capital improvements budget, although the cost is about 35% higher than budgeted. Staff will reforecast the budget accordingly at the next quarterly opportunity. These repairs are critical to the function of the plant, and staff expects the overage can be made up by savings on other items, keeping the water department budget flat overall.

- The existing VFDs are made by Eaton, reducing installation and startup costs. Installation will be easier and less time-consuming due to the similarity of the wiring for power and controls. Previous units already replaced were integrated with our plant control system without any major rewiring or reprogramming. In addition, by purchasing the two units together, setup can be completed in a single visit from the Eaton field technician, saving on startup costs.
- Operations and maintenance will be more efficient if all units are identical. Interchangeable units mean fewer spare parts need to be kept on hand, troubleshooting is easier, and downtime is minimized.
- The existing Eaton VFDs at the Water Filtration Plant have shown exceptional performance and reliability. Nearly all the Water Filtration Plant's VFDs (over 20) are manufactured by Eaton. All of these 20+-year-old units are at or beyond the expected lifetime of this equipment. Of the few problems experienced with these units, most were able to be fixed by our maintenance staff. This alone has saved thousands of dollars in service calls over the last 20 years.

STAFF RECOMMENDATION: I move to authorize staff to purchase two Eaton variable frequency drives (VFDs) to replace existing units for the filter backwash system at the Water Filtration Plant at a cost of \$67,556.00.

D. DWSRF Construction Engineering 2025 Public Works

Staff requests authorization to enter into a contract change order with Prein & Newhof in the amount of \$88,000 due to increases in the scope of the lead service line replacement project that is part of the 2025 DWSRF program. At the July 8, 2024 meeting the Commission approved award of a contract to Gustafson HDD and the sale of bonds to finance the replacement of approximately 1,300 lead service lines in the City. The original contract with Prein & Newhof, the City's engineering consultant on the project, contemplated about 1,000 service lines. Due to favorable bid pricing we were able to award an additional 320 services lines in the construction contract to bring the total to 1,320. Prein & Newhof is requesting an increase in their contract related to construction engineering costs for the additional 400 service lines. Services include on-site inspection, grant and contract administration, and environmental clearance work. The additional \$88,000 requested is an eligible expense under the DWSRF program, so the City will receive 25% principal forgiveness and the remainder will be included on the 20-year bond with the other project expenses.

STAFF RECOMMENDATION: Move to authorize staff to enter into a contract change order with Prein & Newhof in the amount of \$88,000 due to increases in the scope of the lead service line replacement project that is part of the 2025

DWSRF program and authorize staff to sign.

Motion by Vice Mayor St.Clair, second by Commissioner Kilgo, to adopt the consent agenda as presented minus items C, E, F, G, and H.

**ROLL VOTE: Ayes: Gorman, Kochin, St.Clair, Johnson, Kilgo, and German
Nays: None**

MOTION PASSES

2025-62 ITEMS REMOVED FROM THE CONSENT AGENDA

C. Park Design Services Award DPW- Parks

Staff requests authorization to contract with Fleis & Vandenbrink in the amount of \$163,900 for park design and construction engineering services for improvements at Richards, McGraft, Kruse and Hartshorn parks in accordance with their proposal and the City's RFP.

An RFP was posted in June seeking proposals from qualified firms to help complete 4 major park planning projects. Concepts were developed through an expansive public engagement campaign in 2024, however staff need assistance with site analysis and surveying, permitting, design development, bid support and construction administration. The suggested improvements, which were highlighted in our master plans include:

Richards Park - ADA kayak launch and paving for accessible parking and approach to the launch; permitting is also required as the proposed area is within the 100-year flood plain. This has been estimated at \$200,000.

McGrath Park - Feedback in the master plan supports converting the tennis courts to majority pickleball and new surfacing and fencing, and possibly site lighting. Estimated at \$390,000.

Kruse Park - Restoration of the beach access ramp that was lost in the 2020 high waters. EGLE permits will be required. An automated gate is also a high priority for the community at the entrance of the park. Estimated at \$380,000.

Hartshorn Park - Inspection of the current boat ramp and sheet pile wall to support an accessible fishing feature. Estimated at \$200,000.

All of these proposed improvements from the park master plans were based off public engagement and received a unanimous vote of support to move forward by the Parks & Recreation Advisory Committee. The cost estimates for these improvements is inclusive of the park design services award. The timeline for these projects is TBD, but they must be completed by December 2026.

We received 15 proposals for this project from qualified firms. The scoring committee scored the firms using a matrix that included prior experience with similar projects, firm staff experience in the field, their work plan and proposed services, the location of the firm, and their submitted price. The scores are shown below. Fleis & Vandenbrink scored highest, and staff recommends them

as the best choice for this project at \$163,900, due to their experience, project understanding, and presence within the City of Muskegon. F&V worked with the parks department on the splash pad construction which also included grant administration. Staff was pleased with their efforts on community engagement, attention to detail, responsiveness and prioritization of the project.

Scoring:

Fleis & Vandenbrink 8.425

Fishbeck 7.875

Prein & Newhoff 7.875

Spicer Group 7.725

OCBA 7.6

Progressive 7.6

Abonmarche 7.525

DLZ 7.5

MCSA 7.5

Rowe 7.425

Williams & Works 7.4

Newak & Fraus 7.1

Tower Pinkster 6.9

Troyer Group 6.1

SKO 6.1

STAFF RECOMMENDATION: I move to authorize staff to contract with Fleis & Vandenbrink in the amount of \$163,900 for park design and construction engineering services for improvements at Richards, McGraft, Kruse and Hartshorn parks in accordance with their proposal and the City's RFP.

Motion by Commissioner Kochin, second by Commissioner Kilgo, to authorize staff to contract with Fleis & Vandenbrink in the amount of \$163,900 for park design and construction engineering services for improvements at Richards, McGraft, Kruse and Hartshorn parks in accordance with their proposal and the City's RFP.

**ROLL VOTE: Ayes: Kochin, St.Clair, Johnson, Kilgo, German, and Gorman
Nays: None**

MOTION PASSES

E. Amendment to the zoning ordinance - Extending the hours of operation for marihuana retailers and provisioning centers. Planning

Request to amend Section 2331 of the zoning ordinance to allow marihuana retailers and provisioning centers with approved drive-thru access to remain open for drive-thru sales only between 12 a.m. and 2 a.m., by The Grassy Knoll.

In April 2024, the applicant requested to amend the ordinance to be able to operate 24 hours per day. The ordinance that was proposed was not well written and would have eliminated any hours of operation for all other retail stores. The request was ultimately denied. This request is much more well written and should not cause any unintentional hardships for other marihuana retailers. There are currently three approved drive-through locations within the city. These are located at The Bodega (885 E Apple Ave), The Grassy Knoll (2125 Lemuel St), and Greencraft (551 Young Ave).

Current Ordinance Excerpt

Section 2331: Marihuana Facilities Overlay District

3. Provisioning Centers, Retailers, Microbusinesses and Designated Consumption Establishments may operate between the hours of 8 am and 12 am.

Proposed Ordinance (additions italicized)

Section 2331: Marihuana Facilities Overlay District

3. Provisioning Centers, Retailers, Microbusinesses and Designated Consumption Establishments may operate between the hours of 8 am and 12 am. *daily; however, Provisioning Centers and Retailers with approved drive-thru access may remain open for drive-thru sales only between the hours of 12 am and 2 am, provided all other applicable local, state, and safety regulations are met.*

Current Drive-Thru Regulations

Section 2331: Marihuana Facilities Overlay District

3.d. Curbside/Drive-Thru. Curbside delivery is allowed at all retail sale locations with an approved site plan that does not impede traffic or pedestrian safety. Drive-thru's are allowed as a special use permitted under the following conditions:

- i. The underlying zoning designation must be B-2, B-4, MC, I-1, I-2 or any Form Based Code designation/building type that allows for drive-thru businesses.
- ii. Drive-thru windows must be located on private property. Streets and alleys may only be used for the movement of traffic and may not be used for drive-thru vehicular stacking.
- iii. A traffic study must be performed showing the anticipated number of stacking spaces and where they would be located on site.

Staff Recommendation

Staff do not have a recommendation on whether marihuana establishments should be open longer. However, the proposed ordinance is well written and could be incorporated into the ordinance properly. Staff do have some concerns about the applicant's ability to follow the established guidelines. Staff have had discussions with the applicant for the past couple of years about their desire to host temporary campground events on-site during special events around the city. That use type is not allowed in their zoning district (I-1) and would need an amendment for them to proceed. Staff have discovered that a beach event in August is advertising overflow camping at The Grassy Knoll.

Planning Commission Recommendation

A motion was made to approve the request to allow marihuana retailers and provisioning centers with approved drive-thru access to remain open for drive-thru sales only between 12 a.m. and 2 a.m. However, the motion failed (5 no, 1 yes, 3 absent).

STAFF RECOMMENDATION: I move to deny the request to amend Section 2331 of the zoning ordinance to allow marihuana retailers and provisioning centers with approved drive-thru access to remain open for drive-thru sales only between 12 a.m. and 2 a.m.

Motion by Commissioner Kochin, second by Commissioner Kilgo, to approve the request to amend Section 2331 of the zoning ordinance to allow marihuana retailers and provisioning centers with approved drive-thru access to remain open for drive-thru sales only between 12 a.m. and 2 a.m.

ROLL VOTE: Ayes: St.Clair, Johnson, Kilgo, German, Gorman, and Kochin
Nays: None

MOTION PASSES (REQUIRES SECOND READING)

F. Amendment to the zoning ordinance - Allowing churches as a permitted use in civic buildings in the Form-Based Code, Downtown context area. Planning

Request to amend Section 2005.05 of the Form-Based Code to allow churches as a permitted use in civic buildings in the Form-Based Code, Downtown context area, by Century Club Development, LLC.

Churches are not currently a permitted use in the Form Based Code, Downtown (FBC-DT) context areas. There are two building types allowed in the FBC-DT context areas - Mixed-use and Civic buildings. Churches are allowed in the other FBC context areas, but only in civic buildings. Other uses allowed in civic buildings include galleries and train stations. This request is to amend the ordinance to allow churches in civic building types in the FBC, DT context area. Staff believe that the Century Club can be defined as a civic building. The building was dedicated in January 1889 for the Muskegon Club and became the Century Club in January 1901. Historically, the building served as a social club formed by Muskegon's business leaders; some early club presidents included business/community leaders Charles Hackley, John Torrent, Lyman Mason, and A. V. Mann. The Club included, at one point, over 550 total members and was considered the center of business life of the community. Closed in 1991, retail activity in the building was introduced in the mid-2000s following the demolition of the Muskegon Mall.

Staff Recommendation

Staff do not have a recommendation on whether churches should be allowed in the FBC-DT context area. There currently are not any churches located within

any of these designated properties, so it would not bring any non-conforming churches into conforming status. There are pros and cons to the request. The pro is that it would facilitate a sale of a specific building that has had a tough time selling with its existing retail uses. The cons would include the elimination of property taxes and potentially reducing the number of days the buildings would be used, reducing foot traffic and activity in the downtown.

Planning Commission Recommendation

A motion was made to deny the request to amend Section 2005.05 of the Form-Based Code to allow churches as a permitted use in civic buildings in the Form-Based Code, Downtown context area. The motion passed (5 yes, 1 no, 3 absent).

STAFF RECOMMENDATION: I move that the request to amend Section 2005.05 of the Form-Based Code to allow churches as a permitted use in civic buildings in the Form-Based Code, Downtown context area be denied.

Motion by Commissioner Kilgo, second by Commissioner Kochin, to move that the request to amend Section 2005.05 of the Form-Based Code to allow churches as a permitted use in civic buildings in the Form-Based Code, Downtown context area be denied.

**ROLL VOTE: Ayes: Johnson, Kilgo, German, Gorman, Kochin, and St.Clair
Nays: None**

MOTION PASSES

G. Amendment to the zoning ordinance - Allowing marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts. Planning

Staff-initiated request to amend the zoning ordinance to allow marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts. This request was brought about after staff had contact with a couple of property owners about land use issues on their properties. If this request is approved, staff will look to rezone several properties in the current Waterfront Marine (WM) district along Lakeshore Dr to Form Based Code, Lakeside Mixed Residential (FBC-LMR) at a future meeting.

The owner at 2984 Lakeshore Dr wanted to demo and rebuild his house. However, residential uses are not allowed in the WM district and the existing house was considered legally non-conforming (grandfathered). The owner was forced to seek a variance to rebuild the house and the request was eventually approved. The new house plans were approved, but the new house would have to meet the existing setbacks in WM, which is 10/14 (side setback requirement) for a two-story house. Residential setbacks are usually much smaller, such as five feet in many districts. There are eight houses located in the WM district, all of which are considered legally non-conforming. With this

current zoning, all property owners will have difficulty rebuilding, putting on additions and possibly even refinancing.

The owner at 3092 Lakeshore Dr. demoed the existing house on site and wants to build a multi-family house, between 6-8 units. This is not allowed since residential is not a permitted use in the WM district.

Staff are not exactly sure why the entire area was zoned WM, but it has been that way since at least 1986. Were these residential properties hoping to have marinas added to their properties? Was it zoned in an effort to transform this area into strictly marina and phase out residential? Without having a clear answer, staff decided to hold a focus group among the property owners to see what their vision was for their properties moving forward. At the meeting, it was discovered that most of the homeowners wanted to continue to stay strictly residential. A couple of the homeowners wanted to stay residential, but add a marina to the property. All the homeowners stated that they did not have an objection to allowing residential with a higher density than single-family. After the focus group meeting, it was clear that the best path forward would be to allow multi-family residential and marinas on these properties. The FBC-LMR district allows for small multiplexes (up to six units) but it does not allow for marinas. Staff are proposing to amend the ordinance to make marinas a permitted use in this context, then to rezone these eight properties to FBC-LMR. A clause was added to the amendment that states "marinas are a permitted use on properties with Muskegon Lake waterfront frontage." This will eliminate the possibility of any FBC-LMR properties without lake frontage to storage boats on their properties. The master plan supports both WM and FBC-LMR as they both fit the description of a lakeshore that allows for mixed-uses.

Planning Commission Recommendation

A motion was made to recommend the request to amend the zoning ordinance to allow marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts. The motion passed (6 yes, 0 no, 3 absent).

STAFF RECOMMENDATION: I move to approve the request to amend the zoning ordinance to allow marinas as a permitted use in the Form-Based Code, Lakeside Mixed Residential districts.

Motion by Commissioner Kilgo, second by Commissioner Kochin, to approve the request to amend the zoning ordinance to allow marinas as a permitted use in the Form-Based Code, Lakeside Mixed Residential districts.

ROLL VOTE: Ayes: Kilgo, German, Gorman, Kochin, St.Clair, and Johnson
Nays: None

MOTION PASSES (REQUIRES SECOND READING)

H. Allen Edwin/Green Development Ventures Lot Purchase and Development Agreement Economic Development

Allen Edwin Homes, through their subsidiary Green Development Ventures is seeking a contract to purchase and develop 22 City-owned vacant lots for MSHDA regulated rental housing.

In 2023, City staff assisted Muskegon County and Allen Edwin Homes to reach a real estate deal in order to utilize the newly passed scattered site housing payment-in-lieu-of-taxes (PILOT) amendment to the MSHDA Act which allows the addition of single-family detached housing in neighborhoods with MSHDA rent limits. These limits dictate the rent be held under the MSHDA imposed limit for 120% Area Median Income (AMI). The City passed a resolution for housing exemption along with a restrictive covenant on the subject properties, and the county land bank entered into a purchase and development agreement with Allen Edwin. This arrangement has worked out well for all parties, with AE underway or complete on 17 of the contracted 34 homes and providing the community with larger format single-family rental units. The units are primarily 4 bedroom, 2 bathroom single-family homes.

The purchase and development agreement is the same format, but for City-owned lots as opposed to properties owned by the County land bank. Allen Edwin is happy with the progress they have seen with the County agreement and is seeking the opportunity to make further housing investment. The agreement compels them to build at a pace of 8 homes a year for a period not exceed 5 years, as some lots may be split to accommodate more units. Closing on any of the lots is contingent on the future passage of a resolution and restrictive covenant on the lots to allow a PILOT. As we have approved with other groups, the statute required PILOT rate would be 10% of shelter rents for a period of 15 years. This allows us to approve the agreement and wait to pass the PILOT until after Allen Edwin has had the opportunity to complete any due diligence, so that way if there are any lots with concerns they can choose to not take them and we keep them on the normal tax roll, as opposed to approving a PILOT for something that doesn't get built.

STAFF RECOMMENDATION: Motion to approve the Lot Purchase and Development Agreement between Green Development Ventures, LLC and the City of Muskegon as presented and to authorize the Mayor and Clerk to sign.

Motion by Commissioner Kochin, second by Commissioner Kilgo, to approve the Lot Purchase and Development Agreement between Green Development Ventures, LLC and the City of Muskegon as presented and to authorize the Mayor and Clerk to sign.

ROLL VOTE: Ayes: German, Gorman, Kochin, St.Clair, Johnson, and Kilgo
Nays: None

MOTION PASSES

2025-63 NEW BUSINESS

A. Service Agreement With City Wise Software Economic Development

City Staff are proposing a partnership with City Wise Software to create and maintain a resource for residents and potential residents to locate affordable rental housing options.

For the last several months staff have been working with the ownership of City Wise to propose a service agreement to the Commission to deliver a resource directory for people in the community to find rental housing. Their platform uses the branding and domain entity of their public sector partner (.org, .gov, etc.) to construct and maintain the directory. The City IT Director has reviewed the terms of the agreement to make sure we are properly secured from a domain security standpoint and found it satisfactory. The City would have no costs or maintenance responsibilities to the site; City Wise staff manage the entire service and generate revenue by soliciting subscriptions from property owners in the community. The advantage to the owners is that City Wise is a small fraction of the cost of competitors such as Apartments.com, which is inaccessible for smaller complexes or single-family units which make up a significant portion of our rental stock.

Further, the service is offered to landlords who own under 20 units at no cost, making it easy and accessible for local developers to participate. The results for a given community are randomized with every visit to the site, so there is no way to pay for optimization or preferential treatment on the platform. Users of the service can organize the results by price point, if it is affordable or market rate, number of bedrooms, and other factors. Additionally, city partners can import any publicly available code enforcement reports for users to review, increasing transparency. The site also geolocates all of the results on a map of the City.

The agreement obligates City Wise to the following deliverables:
City Wise commits to:

- Hosting Housing Website:
 - Host a housing website for City, on a subdomain of the City's main website, muskegon-mi.gov, including associated data, tables, and login pages as part of the proprietary licensed software owned.
- Technology Integration:
 - Collaborate with the City to embed the Technology in a subdomain of City's existing website, maintaining the City website's "look and feel" during user transitions to the Technology.
- Searchable Database Development:
 - Construct a searchable database within the application for listing properties available to the public. Customize search fields to align with City's neighborhoods and terminology.
- Marketing of Housing Website:

- Promote the housing website to prospective property listers through targeted advertising, including local advertising, direct mail, phone calls, and face-to-face sales visits.
- Listing Fees Collection:
 - Collect Listing Fees, subject to City's approval (withholding approval not unreasonably).
- User Agreement Development:
 - Only using user agreements approved by the City, and to collaborate with City to develop such user agreement including, but not limited to:
 - a. Disclaiming City's responsibility for and highlighting the absence of any recommendation or guarantee regarding property listings or physical properties.
 - b. Requiring user compliance with all applicable laws, rules, and regulations.
 - Prepare and deliver quarterly reports on site statistics to City, including, at a minimum, the number of subscribers and property listings.
 - Provide product support to City and users through a customer service email account.
 - Include in the customized site:
 - Property listing fields allowing up to three (3) photos or graphic images of listed properties, linked to maps, and property manager emails.
 - Regularly install Technology upgrades to the Technology, notifying City of relevant upgrades via email.
 - Perform regular monthly backups of site data.

STAFF RECOMMENDATION: Motion to approve the Service and License Agreement between City Wise Software, LLC and the City of Muskegon as presented and authorize the Mayor and Clerk to sign.

Motion by Commissioner Kochin, second by Vice Mayor St.Clair, to approve the Service and License Agreement between City Wise Software, LLC and the City of Muskegon as presented and authorize the Mayor and Clerk to sign.

**ROLL VOTE: Ayes: German, Gorman, Kochin, St.Clair, Johnson, and Kilgo
Nays: None**

MOTION PASSES

ANY OTHER BUSINESS

Vice Mayor St.Clair shared that after the last Commission meeting she was singled out on Facebook for the unanimous Commission decision on water rates. Please think about the impact of your posts.

Commissioner Kilgo stated he fully supports Vice Mayors words. He also stated he attended the Lakeshore Drive Rehabilitation Conversation that was this week and was asked by the public if this was set in stone.

Mayor Johnson stated that Engineering has not been done on this project yet. Community Engagement Manager Deborah Sweet replied that there are additional engagements planned for this project.

Commissioner Kochin stated she heard encouraging comments at the engagement. She also announced the Pooch Parade in Glenside at the McGraft Bandshell is on Wednesday, July 23rd at 6:00 p.m.; and National Night Out is Tuesday, August 5th, at 6:00 p.m. at Marsh Field.

Mayor Johnson asked staff to check into incorporate creating view sheds on Muskegon Lake.

GENERAL PUBLIC COMMENT

Public comments received.

ADJOURNMENT

The City Commission meeting adjourned at 8:17 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC City Clerk



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Sale of 577, 695, 723 Amity and 461 White												
Submitted by: Samantha Pulos, Code Coordinator	Department: Planning												
Brief Summary: Staff is seeking authorization to sell the City-owned vacant lots at 577, 695, and 723 Amity as well as 461 White to Robert Muusse.													
Detailed Summary & Background: Robert Muusse would like to purchase the City-owned buildable lots at 577, 695, and 723 Amity as well as 461 White for \$12,150 (75% of the True Cash Value of \$16,200) plus half of the closing costs, and the fee to register the deed. Robert Muusse will be constructing a single-family home on each of the properties, for a total of 6 homes.													
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business													
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:													
Amount Requested: n/a	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">x</td> </tr> </table>	Yes	No	N/A	x								
Yes	No	N/A	x										
Fund(s) or Account(s): n/a	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;">No</td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">x</td> </tr> </table>	Yes	No	N/A	x								
Yes	No	N/A	x										
Recommended Motion: Authorize staff to sell the City-owned vacant lots at 577, 695, 723 Amity and 461 White to Robert Muusse.													
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td style="text-align: center;">x</td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	x		Information Technology			Other Division Heads	x		Communication			Name the Policy/Ordinance Followed: Master Plan, Zoning Ordinance, Policy for the Use & Sale of City-Owned Residential Property
Immediate Division Head	x												
Information Technology													
Other Division Heads	x												
Communication													

Legal Review			
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PURCHASE AND DEVELOPMENT AGREEMENT

This Purchase and Development Agreement (“Agreement”) is made **August 12th, 2025** (“Effective Date”), between the **City of Muskegon**, a Michigan municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440 (“City”), and **Robert Muusse**, of 3465 Palmer Dr, Saugatuck MI, 49453, (“Developer”), with reference to the following facts:

Background

A. City is the owner of four (4) buildable lots, being 577 Amity, 695 Amity, 723 Amity, and 461 White, more specifically described in attached Exhibit A. Prior to closing, City shall split one or more of the lots into six (6) lots, more specifically described in attached Exhibit B.

B. Developer proposes to purchase and develop the six (6) vacant lots owned by City, which are all located in the City of Muskegon, Muskegon County, Michigan, and each commonly known and legally described on the attached **Exhibit B** (each property individually, a “Parcel” and collectively “Project Properties”).

C. City and Developer desire to establish the terms, covenants, and conditions upon which City will sell and Developer will purchase and develop the Project Properties. Developer intends to develop on each of the Project Properties a single-family house (the “Project”).

Therefore, for good and valuable consideration, the parties agree as follows:

1. **Sale and Purchase of Project Properties.** City agrees to sell to Developer, and Developer agrees to purchase from City, on the terms and subject to the conditions set forth in this Agreement, the Project Property, subject to reservations, restrictions, and easements of record.

2. **Purchase Price.** The total purchase price for the Project Property shall be **\$12,150.00**, which shall be paid in cash or other immediately available funds at Closing (defined below) less the \$500 deposit that the Developer has paid to the City of Muskegon.

Pursuant to Paragraph 3(b) below, the parties acknowledge and agree that Developer shall be eligible to be reimbursed all or a portion of the purchase price for the Parcel upon the completion of certain design standards as further described herein.

3. Construction and Development Requirements.

a. **Construction Dates.** The parties acknowledge and agree that Developer shall have a period of twenty-four (24) months from the date of Closing to complete the Project (“Construction Period”), except as otherwise provided in this Agreement or as otherwise mutually agreed upon by the parties in writing.

b. **Construction Details; Purchase Price Reimbursement.** Developer’s construction and development of the Project Properties, including single-family homes, duplexes, triplexes, and accessory dwelling units, shall be in substantial conformance with its plans and specifications provided to City by Developer or as otherwise agreed upon in writing between City and Developer.

As referenced above, Developer shall be eligible for reimbursement of all or a portion of the purchase price for the Project Properties upon Developer's satisfaction of the following design standards for each single-family home, duplex, triplex, and accessory dwelling unit it constructs on the Project Properties. If the Project includes an accessory dwelling unit, both the primary dwelling unit (single-family home, duplex, triplex) and the accessory dwelling unit must meet the design standards outlined below to be eligible for reimbursement.

Design Standard	Purchase Price Reimbursement for Parcel
Open front porch of at least 60 sq. ft.	20%
Picture or bay window	20%
Alley-loaded parcel	20%
Shutter or other acceptable window treatments	20%
Underground Sprinkling	20%

(By way of example only: If Developer completes three of the design standards listed above for the construction at the Parcel located at 577 Amity, Developer would be reimbursed \$1,440.00, which is 60% of the \$2,400.00 purchase price for this Parcel. If Developer completes all five design standards, Developer would be reimbursed the entire purchase price for this Parcel.)

4. **Right of Reversion.** Notwithstanding anything herein to the contrary, and as security for Developer's obligation to commence and complete construction of a single-family house on each of the Project Properties, the quit claim deed conveying the Project Properties to Developer shall contain a right of reversion in all of the Project Properties ("City's Reversionary Right"), which may be exercised by City, in its sole and absolute discretion, if any of the following conditions occur:

a. Developer does not commence construction within sixty (60) days after the date of Closing, in which case title to all of the Project Properties shall automatically revert to City upon the terms and conditions further provided in this Paragraph 4 below. For purposes of this Paragraph 4(a), commencing construction means furnishing labor and materials to the Parcel of the Project Property and beginning installation of the approved single-family home.

b. Developer does not complete construction of the Project Property prior to expiration of the Construction Period, in which case title to any of the Project Properties that are not complete by the end of the Construction Period shall automatically revert to City upon the terms and conditions further provided in this Paragraph 4 below. For purposes of this Paragraph 4(b), completing construction means the issuance of an occupancy permit by City for the Project Property. Provided, however, the parties agree to reasonably negotiate an extension of the Construction Period up to a period of six (6) months for the Project Property that have a completed foundation before the expiration of the initial Construction Period.

If any of the above conditions occur, City shall automatically have City's Reversionary Right to reacquire title to the Project Property, as the case may be. To exercise City's Reversionary Right described herein, City must provide written notice to Developer (or its permitted successors, assigns, or transferees) within thirty (30) days of Developer's failure under this Agreement, but in any event prior to Developer satisfying the conditions set forth in Paragraph 4(a) or Paragraph 4(b) above, as the case may be, and record such notice with the Muskegon County Register of Deeds. Upon request of City, Developer shall take all reasonable steps to ensure City acquires marketable title to the Project Property, as the case may be, through

its exercise of its rights under this Paragraph within thirty (30) days of City's demand, including without limitation, the execution of appropriate deeds and other documents.

In addition, if the Project Property revert to City, City may retain the purchase price for such Project Property free and clear of any claim of Developer or its assigns. In the event of reversion of title of the Project Property, improvements made on such Project Property shall become the property of City. In no event shall the Project Property be in a worse condition than upon the date of Closing. These covenants and conditions shall run with the land and be recorded in the quit claim deed from City to Developer.

5. **Title Insurance.** Within five (5) days after the Effective Date, Developer shall order a title commitment for an extended coverage ALTA owner's policy of title insurance issued by Transnation Title Agency (the "Title Company") for the Project Property in the amount of the total purchase price for the Project Property and bearing a date later than the Effective Date, along with copies of all of the underlying documents referenced therein (the "Title Commitment"). Developer shall cause the Title Company to issue a marked-up commitment or *pro forma* owner's policy with respect to the Project Property at the Closing naming Developer as the insured and in form and substance reasonably satisfactory to Developer, but subject to Permitted Exceptions (defined below). As soon as possible after the Closing, Developer shall cause the Title Company to furnish to Developer an extended coverage ALTA owner's policy of title insurance with respect to the Project Property (the "Title Policy"). City shall be responsible for the cost of the Title Policy; provided, however, Developer shall be solely responsible for the cost of any endorsements to the Title Policy that Developer desires.

6. **Title Objections.** Developer shall have until the end of the Inspection Period (as defined below) within which to raise objections to the status of City's title to the Project Properties. If objection to the title is made, City shall have seven (7) days from the date it is notified in writing of the particular defects claimed to either (a) remedy the objections, or (b) notify Developer that it will not remedy the objections. If Developer does not notify City in writing as to any title or survey objections, then Developer will be deemed to have accepted the condition of title as set forth in the Title Commitment. If City is unwilling or unable to remedy the title or obtain title insurance over such defects within the time period specified, then notwithstanding anything contained herein to the contrary, Developer may, at its option, upon written notice to City, either (i) terminate this Agreement and neither City nor Developer shall have any further obligation to the other pursuant to this Agreement, except as otherwise provided herein, or (ii) waive such objection, in which case such objection shall become a Permitted Exception, and thereafter proceed to the Closing according to the terms of this Agreement. Any matter disclosed on the Title Commitment that is waived or not objected to by Developer shall be deemed a "Permitted Exception."

7. **Property Taxes and Assessments.** City shall be responsible for the payment of all real estate taxes and assessments that become due and payable prior to Closing, without proration. Developer shall be responsible for the payment of all real estate taxes and assessments that become due and payable after Closing, without proration.

8. **Survey.** Developer at its own expense may obtain a survey of any or all of the Project Property, and Buyer or its surveyor or other agents may enter any of the Project Property for that purpose prior to Closing. If no survey is obtained, Developer agrees that Developer is relying solely upon Developer's own judgment as to the location, boundaries, and area of the Project Property and improvements thereon without regard to any representations that may have been made by City or any other person. In the event that a survey by a registered land surveyor made prior to Closing discloses an encroachment or substantial variation from the presumed land boundaries or area, City shall have the option of affecting a remedy within seven (7) days after disclosure, or terminate this Agreement. Developer may elect to purchase the Project Property subject to said encroachment or variation.

9. **Inspection Period.** At Developer's sole option and expense, Developer and Developer's agents may conduct inspections of each of the Project Property within thirty (30) days after the Effective Date ("Inspection Period"). Developer's inspection under this Paragraph may include, by way of example but not limitation, inspections of any existing improvements to each Parcel, other systems servicing the Parcel, zoning, and the suitability for Developer's intended purposes for each Parcel. If Developer, in Developer's reasonable discretion, is not satisfied with the results of the inspections for any reason, Developer shall notify City in writing of Developer's prior to expiration of the 30-day Inspection Period. If Developer so notifies City, this Agreement shall be terminated and have no further force and effect. If no written objection is made by Developer within the stated period, this inspection contingency shall be deemed to be waived by Developer and the parties shall proceed to Closing in accordance with the terms of this Agreement.

10. **Condition of Project Property.** City and Developer acknowledge and agree that the Parcel in the Project Property is being sold and delivered "**AS IS**", "**WHERE IS**" in its present condition. Except as specifically set forth in this Agreement or any written disclosure statements, City has not made, does not make, and specifically disclaims any and all representations, warranties, or covenants of any kind or character whatsoever, whether implied or express, oral or written, as to or with respect to (i) the value, nature, quality, or condition of any of the Project Property, including without limitation, soil conditions, and any environmental conditions; (ii) the suitability of the Project Property for any or all of Developer's activities and uses; (iii) the compliance of or by the Project Property with any laws, codes, or ordinances; (iv) the habitability, marketability, profitability, or fitness for a particular purpose of the Project Property; (v) existence in, on, under, or over the Project Property of any hazardous substances; or (vi) any other matter with respect to the Project Property. Developer acknowledges and agrees that Developer has or will have the opportunity to perform inspections of the Project Property pursuant to this Agreement and that Developer is relying solely on Developer's own investigation of the Project Property and not on any information provided to or to be provided by City (except as specifically provided in this Agreement). If the transaction contemplated herein closes, Developer agrees to accept the respective Project Property acquired by Developer and waive all objections or claims against City arising from or related to such Project Property and any improvements thereon except for a breach of any representations or warranties or covenants specifically set forth in this Agreement. In the event this transaction closes, then subject to City's express representations, warranties, and covenants in this Agreement, Developer acknowledges and agrees that it has determined that the respective Project Property it has acquired and all improvements thereon are in a condition satisfactory to Developer based on Developer's own inspections and due diligence, and Developer has accepted such Project Property in their present condition and subject to ordinary wear and tear up to the date of Closing. The terms of this Paragraph shall survive the Closing and/or the delivery of the deed.

11. **Developer's Representations and Warranties of Developer.** Developer represents, covenants, and warrants the following to be true:

a. **Authority.** Developer has the power and authority to enter into and perform Developer's obligations under this Agreement.

b. **Litigation.** No judgment is outstanding against Developer and no litigation, action, suit, judgment, proceeding, or investigation is pending or outstanding before any forum, court, or governmental body, department or agency or, to the knowledge of Developer, threatened, that has the stated purpose or the probable effect of enjoining or preventing the Closing.

c. **Bankruptcy.** No insolvency proceeding, including, without limitation, bankruptcy, receivership, reorganization, composition, or arrangement with creditors, voluntary or involuntary,

affecting Developer or any of Developer's assets or properties, is now or on the Closing Date will be pending or, to the knowledge of Developer, threatened.

12. **Conditions Precedent.** This Agreement and all of the obligations of Developer under this Agreement are, at Developer's option, subject to the fulfillment, before or at the time of the Closing, of each of the following conditions:

a. **Performance.** The obligations, agreements, documents, and conditions required to be signed and performed by City shall have been performed and complied with before or at the date of the Closing.

b. **City Commission Approval.** This Agreement is approved by the Muskegon City Commission.

13. **Default.**

a. **By Developer.** In the event Developer fails to comply with any or all of the obligations, covenants, warranties, or agreements under this Agreement and such default is not cured within ten (10) days after receipt of notice (other than Developer's failure to tender the purchase price in full at Closing, a default for which no notice is required), then City may terminate this Agreement.

b. **By City.** In the event City fails to comply with any or all of the obligations, covenants, warranties or agreements under this Agreement, and such default is not cured within ten (10) days after receipt of notice, then Developer may either terminate this Agreement or Developer may pursue its legal and/or equitable remedies against City including, without limitation, specific performance.

14. **Closing.**

a. **Date of Closing.** The closing date of this sale shall be as mutually agreed by the parties, but in no event later than 60 days from the City Commission's approval of the sale ("Closing"), unless this Agreement is terminated in accordance with its provisions. The Closing shall be conducted at such time and location as the parties mutually agree.

b. **Costs.** The costs associated with this Agreement and the Closing shall be paid as follows: (i) Developer shall pay any state and county transfer taxes in the amount required by law; (ii) City shall pay the premium for the owner's Title Policy, provided that Developer shall pay for any and all endorsements to the Title Policy that Developer desires; (iii) City shall be responsible to pay for the recording of any instrument that must be recorded to clear title to the extent required by this Agreement; (iv) Developer shall pay for the cost of recording the deed; and (v) Developer and City shall each pay one-half of any closing fees charged by the Title Company.

c. **Deliveries.** At Closing, City shall deliver a quit claim deed for the Project Properties and Developer shall pay the purchase price. The quit claim deed to be delivered by City at closing shall include the City Right of Reversion described in Paragraph 4 above. The parties shall execute and deliver such other documents reasonably required to effectuate the transaction contemplated by this Agreement.

15. **Real Estate Commission.** Developer and City shall each be responsible for any fees for any real estate agents, brokers, or salespersons regarding this sale that it has hired, but shall have no

obligation as to any fees for any real estate agents, brokers, or salespersons regarding this sale that the other party has hired.

16. **Notices.** All notices, approvals, consents and other communications required under this Agreement shall be in writing and shall be deemed given: (i) when delivered in person; (ii) when sent by fax or email; (iii) when sent by a nationally-recognized receipted overnight delivery service with delivery fees prepaid; or (iv) when sent by United States first-class, registered, or certified mail, postage prepaid. The notice shall be effective immediately upon personal delivery or upon transmission of the fax or email; one day after depositing with a nationally recognized overnight delivery service; and five (5) days after sending by first class, registered, or certified mail.

Notices shall be sent to the parties as follows:

To City: City of Muskegon
Attn.: Samantha Pulos, Code Coordinator
933 Terrace Street
Muskegon, MI 49440

To Developer: Robert Muusse
3465 Palmer Dr
Saugatuck MI, 49453
Email: robertmuussebuilder@gmail.com

17. **Miscellaneous.**

a. **Governing Law.** This Agreement will be governed by and interpreted in accordance with the laws of the state of Michigan.

b. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties and supersedes any other agreements, written or oral, that may have been made by and between the parties with respect to the subject matter of this Agreement. All contemporaneous or prior negotiations and representations have been merged into this Agreement.

c. **Amendment.** This Agreement shall not be modified or amended except in a subsequent writing signed by all parties.

d. **Binding Effect.** This Agreement shall be binding upon and enforceable by the parties and their respective legal representatives, permitted successors, and assigns.

e. **Counterparts.** This Agreement may be executed in counterparts, and each set of duly delivered identical counterparts which includes all signatories, shall be deemed to be one original document.

f. **Full Execution.** This Agreement requires the signature of all parties. Until fully executed, on a single copy or in counterparts, this Agreement is of no binding force or effect and if not fully executed, this Agreement is void.

g. **Non-Waiver.** No waiver by any party of any provision of this Agreement shall constitute a waiver by such party of any other provision of this Agreement.

h. ***Severability.*** Should any one or more of the provisions of this Agreement be determined to be invalid, unlawful, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions of this Agreement shall not in any way be impaired or affected.

i. ***No Reliance.*** Each party acknowledges that it has had full opportunity to consult with legal and financial advisors as it has been deemed necessary or advisable in connection with its decision to knowingly enter into this Agreement. Neither party has executed this Agreement in reliance on any representations, warranties, or statements made by the other party other than those expressly set forth in this Agreement.

j. ***Assignment or Delegation.*** Except as otherwise specifically set forth in this Agreement, neither party shall assign all or any portion of its rights and obligations contained in this Agreement without the express or prior written approval of the other party, in which approval may be withheld in the other party's sole discretion.

k. ***Venue and Jurisdiction.*** The parties agree that for purposes of any dispute in connection with this Agreement, the Muskegon County Circuit Court shall have exclusive personal and subject matter jurisdiction and that Muskegon County is the exclusive venue.

This Agreement is executed effective as of the Effective Date set forth above.

CITY:

DEVELOPER:

CITY OF MUSKEGON

ROBERT MUUSSE

By: _____
Name: Ken Johnson
Title: Mayor
Dated: _____

By: _____
Name: ROBERT MUUSSE
Dated: _____

By: _____
Name: Ann Marie Meisch
Title: City Clerk
Dated: _____

Exhibit A

The following described premises located in the City of Muskegon, County of Muskegon, State of Michigan, and legally described as follows:

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 E ½ LOT 1 AND 14 BLK 44

Address: 461 WHITE AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-044-0001-10

Price: \$3,000.00

(TO BE SPLIT INTO TWO BUILD-ABLE LOTS)

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 44 FT OF N 165 FT OF LOT 4 BLK 51

Address: 723 AMITY AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-051-0004-00

Price: \$3,000.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E 80 FT OF N 1/2 LOT 8 & N 32 FT OF S 132 FT OF E 1/2 LOT 8 BLK 51

Address: 695 AMITY AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-051-0008-10

Price: \$3,750.00

(TO BE SPLIT INTO TWO BUILD-ABLE LOTS)

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E 44 FT LOT 3 & W 44 FT OF E 110 FT OF N 33 FT LOT 5 BLK 53

Address: 577 AMITY AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-053-0003-20

Price: \$2,400.00

Exhibit B

The following described premises located in the City of Muskegon, County of Muskegon, State of Michigan, and legally described as follows:

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 N ½ OF E ½ LOT 1 AND 14 BLK 44

Address: 461 WHITE AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-044-0001-10

Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT 1903 S ½ OF E ½ LOT 1 AND 14 BLK 44

Address: 801 WILLIAMS ST, MUSKEGON, MI 49442

Parcel #: TBD

Price: \$1,500.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 44 FT OF N 165 FT OF LOT 4 BLK 51

Address: 723 AMITY AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-051-0004-00

Price: \$3,000.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E 40 FT OF N 1/2 LOT 8 & N 32 FT OF S 132 FT OF E 40FT LOT 8 BLK 51

Address: 695 AMITY AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-051-0008-10

Price: \$1,875.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 40 FT OF E 80 FT OF N 1/2 LOT 8 & N 32 FT OF S 132 FT OF E 1/2 EXC E 40 FT LOT 8 BLK 51

Address: 691 AMITY AVE, MUSKEGON, MI 49442

Parcel #: TBD

Price: \$1,875.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E 44 FT LOT 3 & W 44 FT OF E 110 FT OF N 33 FT LOT 5 BLK 53

Address: 577 AMITY AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-053-0003-20

Price: \$2,400.00



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Sale of 619 Amity															
Submitted by: Samantha Pulos, Code Coordinator	Department: Planning															
Brief Summary: Staff is seeking authorization to sell the City-owned vacant lot at 619 Amity to Four Properties LLC.																
Detailed Summary & Background: Four Properties LLC (Tyce VanNoord) would like to purchase the City-owned buildable lot at 619 Amity for \$3,750 (75% of the True Cash Value of \$5,000) plus half of the closing costs, and the fee to register the deed. The parcel will be split into three buildable lots. Four Properties LLC will be constructing a duplex and an accessory dwelling unit (ADU) on two of the properties, and a duplex only on the third property; for a total of three duplexes and two ADUs.																
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business																
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																
Amount Requested: n/a	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">x</td> <td style="width: 15%;"></td> </tr> </table>	Yes		No		N/A	x									
Yes		No		N/A	x											
Fund(s) or Account(s): n/a	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">x</td> <td style="width: 15%;"></td> </tr> </table>	Yes		No		N/A	x									
Yes		No		N/A	x											
Recommended Motion: Authorize staff to sell the City-owned vacant lot at 619 Amity to Four Properties LLC.																
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td style="text-align: center;">x</td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	x		Information Technology			Other Division Heads	x		Communication			Legal Review			Name the Policy/Ordinance Followed: Master Plan, Zoning Ordinance, Policy for the Use & Sale of City-Owned Residential Property
Immediate Division Head	x															
Information Technology																
Other Division Heads	x															
Communication																
Legal Review																

PURCHASE AND DEVELOPMENT AGREEMENT

This Purchase and Development Agreement (“Agreement”) is made **August 12th, 2025** (“Effective Date”), between the **City of Muskegon**, a Michigan municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440 (“City”), and **Four Properties LLC**, a Michigan limited liability corporation, of 6049 Clyde Park Ave SW, Byron Center, MI 49315, (“Developer”), with reference to the following facts:

Background

A. City is the owner of one (1) buildable lot, being 619 Amity, more specifically described in attached **Exhibit A**. Prior to closing, City shall split the lot into three (3) lots, more specifically described in attached Exhibit B.

B. Developer proposes to purchase and develop the three (3) vacant lots owned by City, which are all located in the City of Muskegon, Muskegon County, Michigan, and each commonly known and legally described on the attached **Exhibit B** (each property individually, a “Parcel” and collectively “Project Properties”).

C. City and Developer desire to establish the terms, covenants, and conditions upon which City will sell and Developer will purchase and develop the Project Properties. Developer intends to develop on two of the Project Properties a duplex and an accessory dwelling unit, and one of the Project Properties a duplex only; for a total of three (3) duplexes and two (2) accessory dwelling units (the “Project”).

Therefore, for good and valuable consideration, the parties agree as follows:

1. **Sale and Purchase of Project Properties.** City agrees to sell to Developer, and Developer agrees to purchase from City, on the terms and subject to the conditions set forth in this Agreement, the Project Property, subject to reservations, restrictions, and easements of record.

2. **Purchase Price.** The total purchase price for the Project Property shall be **\$3,750.00**, which shall be paid in cash or other immediately available funds at Closing (defined below) less the **\$400** deposit that the Developer has paid to the City of Muskegon.

Pursuant to Paragraph 3(b) below, the parties acknowledge and agree that Developer shall be eligible to be reimbursed all or a portion of the purchase price for the Parcel upon the completion of certain design standards as further described herein.

3. Construction and Development Requirements.

a. **Construction Dates.** The parties acknowledge and agree that Developer shall have a period of twenty-four (24) months from the date of Closing to complete the Project (“Construction Period”), except as otherwise provided in this Agreement or as otherwise mutually agreed upon by the parties in writing.

b. **Construction Details; Purchase Price Reimbursement.** Developer’s construction and development of the Project Properties, including single-family homes, duplexes, triplexes, and accessory dwelling units, shall be in substantial conformance with its plans and specifications

provided to City by Developer or as otherwise agreed upon in writing between City and Developer. As referenced above, Developer shall be eligible for reimbursement of all or a portion of the purchase price for the Project Properties upon Developer's satisfaction of the following design standards for each single-family home, duplex, triplex, and accessory dwelling unit it constructs on the Project Properties. If the Project includes an accessory dwelling unit, both the primary dwelling unit (single-family home, duplex, triplex) and the accessory dwelling unit must meet the design standards outlined below to be eligible for reimbursement.

Design Standard	Purchase Price Reimbursement for Parcel
Open front porch of at least 60 sq. ft.	20%
Picture or bay window	20%
Alley-loaded parcel	20%
Shutter or other acceptable window treatments	20%
Underground Sprinkling	20%

(By way of example only: If Developer completes three of the design standards listed above for the construction at the Parcel located at 619 Amity, Developer would be reimbursed \$2,250.00, which is 60% of the \$3,750.00 purchase price for this Parcel. If Developer completes all five design standards, Developer would be reimbursed the entire purchase price for this Parcel. If Developer builds a duplex or small multiplex, Developer would be reimbursed 100% of the purchase price for this Parcel.)

4. **Right of Reversion.** Notwithstanding anything herein to the contrary, and as security for Developer's obligation to commence and complete construction of a duplex of the Project Properties, the quit claim deed conveying the Project Properties to Developer shall contain a right of reversion in all of the Project Properties ("City's Reversionary Right"), which may be exercised by City, in its sole and absolute discretion, if any of the following conditions occur:

a. Developer does not commence construction within sixty (60) days after the date of Closing, in which case title to all of the Project Properties shall automatically revert to City upon the terms and conditions further provided in this Paragraph 4 below. For purposes of this Paragraph 4(a), commencing construction means furnishing labor and materials to the Parcel of the Project Property and beginning installation of the approved duplex.

b. Developer does not complete construction of the Project Property prior to expiration of the Construction Period, in which case title to any of the Project Properties that are not complete by the end of the Construction Period shall automatically revert to City upon the terms and conditions further provided in this Paragraph 4 below. For purposes of this Paragraph 4(b), completing construction means the issuance of an occupancy permit by City for the Project Property. Provided, however, the parties agree to reasonably negotiate an extension of the Construction Period up to a period of six (6) months for the Project Property that have a completed foundation before the expiration of the initial Construction Period.

If any of the above conditions occur, City shall automatically have City's Reversionary Right to reacquire title to the Project Property, as the case may be. To exercise City's Reversionary Right described herein, City must provide written notice to Developer (or its permitted successors, assigns, or transferees) within thirty (30) days of Developer's failure under this Agreement, but in any event prior to Developer satisfying the conditions set forth in Paragraph 4(a) or Paragraph 4(b) above, as the case may be, and record such

notice with the Muskegon County Register of Deeds. Upon request of City, Developer shall take all reasonable steps to ensure City acquires marketable title to the Project Property, as the case may be, through its exercise of its rights under this Paragraph within thirty (30) days of City's demand, including without limitation, the execution of appropriate deeds and other documents.

In addition, if the Project Property revert to City, City may retain the purchase price for such Project Property free and clear of any claim of Developer or its assigns. In the event of reversion of title of the Project Property, improvements made on such Project Property shall become the property of City. In no event shall the Project Property be in a worse condition than upon the date of Closing. These covenants and conditions shall run with the land and be recorded in the quit claim deed from City to Developer.

5. **Title Insurance.** Within five (5) days after the Effective Date, Developer shall order a title commitment for an extended coverage ALTA owner's policy of title insurance issued by Transnation Title Agency (the "Title Company") for the Project Property in the amount of the total purchase price for the Project Property and bearing a date later than the Effective Date, along with copies of all of the underlying documents referenced therein (the "Title Commitment"). Developer shall cause the Title Company to issue a marked-up commitment or *pro forma* owner's policy with respect to the Project Property at the Closing naming Developer as the insured and in form and substance reasonably satisfactory to Developer, but subject to Permitted Exceptions (defined below). As soon as possible after the Closing, Developer shall cause the Title Company to furnish to Developer an extended coverage ALTA owner's policy of title insurance with respect to the Project Property (the "Title Policy"). City shall be responsible for the cost of the Title Policy; provided, however, Developer shall be solely responsible for the cost of any endorsements to the Title Policy that Developer desires.

6. **Title Objections.** Developer shall have until the end of the Inspection Period (as defined below) within which to raise objections to the status of City's title to the Project Properties. If objection to the title is made, City shall have seven (7) days from the date it is notified in writing of the particular defects claimed to either (a) remedy the objections, or (b) notify Developer that it will not remedy the objections. If Developer does not notify City in writing as to any title or survey objections, then Developer will be deemed to have accepted the condition of title as set forth in the Title Commitment. If City is unwilling or unable to remedy the title or obtain title insurance over such defects within the time period specified, then notwithstanding anything contained herein to the contrary, Developer may, at its option, upon written notice to City, either (i) terminate this Agreement and neither City nor Developer shall have any further obligation to the other pursuant to this Agreement, except as otherwise provided herein, or (ii) waive such objection, in which case such objection shall become a Permitted Exception, and thereafter proceed to the Closing according to the terms of this Agreement. Any matter disclosed on the Title Commitment that is waived or not objected to by Developer shall be deemed a "Permitted Exception."

7. **Property Taxes and Assessments.** City shall be responsible for the payment of all real estate taxes and assessments that become due and payable prior to Closing, without proration. Developer shall be responsible for the payment of all real estate taxes and assessments that become due and payable after Closing, without proration.

8. **Survey.** Developer at its own expense may obtain a survey of any or all of the Project Property, and Buyer or its surveyor or other agents may enter any of the Project Property for that purpose prior to Closing. If no survey is obtained, Developer agrees that Developer is relying solely upon Developer's own judgment as to the location, boundaries, and area of the Project Property and improvements thereon without regard to any representations that may have been made by City or any other person. In the event that a survey by a registered land surveyor made prior to Closing discloses an encroachment or substantial variation from the presumed land boundaries or area, City shall have the option

of affecting a remedy within seven (7) days after disclosure, or terminate this Agreement. Developer may elect to purchase the Project Property subject to said encroachment or variation.

9. **Inspection Period.** At Developer's sole option and expense, Developer and Developer's agents may conduct inspections of each of the Project Property within thirty (30) days after the Effective Date ("Inspection Period"). Developer's inspection under this Paragraph may include, by way of example but not limitation, inspections of any existing improvements to each Parcel, other systems servicing the Parcel, zoning, and the suitability for Developer's intended purposes for each Parcel. If Developer, in Developer's reasonable discretion, is not satisfied with the results of the inspections for any reason, Developer shall notify City in writing of Developer's prior to expiration of the 30-day Inspection Period. If Developer so notifies City, this Agreement shall be terminated and have no further force and effect. If no written objection is made by Developer within the stated period, this inspection contingency shall be deemed to be waived by Developer and the parties shall proceed to Closing in accordance with the terms of this Agreement.

10. **Condition of Project Property.** City and Developer acknowledge and agree that the Parcel in the Project Property is being sold and delivered "**AS IS**", "**WHERE IS**" in its present condition. Except as specifically set forth in this Agreement or any written disclosure statements, City has not made, does not make, and specifically disclaims any and all representations, warranties, or covenants of any kind or character whatsoever, whether implied or express, oral or written, as to or with respect to (i) the value, nature, quality, or condition of any of the Project Property, including without limitation, soil conditions, and any environmental conditions; (ii) the suitability of the Project Property for any or all of Developer's activities and uses; (iii) the compliance of or by the Project Property with any laws, codes, or ordinances; (iv) the habitability, marketability, profitability, or fitness for a particular purpose of the Project Property; (v) existence in, on, under, or over the Project Property of any hazardous substances; or (vi) any other matter with respect to the Project Property. Developer acknowledges and agrees that Developer has or will have the opportunity to perform inspections of the Project Property pursuant to this Agreement and that Developer is relying solely on Developer's own investigation of the Project Property and not on any information provided to or to be provided by City (except as specifically provided in this Agreement). If the transaction contemplated herein closes, Developer agrees to accept the respective Project Property acquired by Developer and waive all objections or claims against City arising from or related to such Project Property and any improvements thereon except for a breach of any representations or warranties or covenants specifically set forth in this Agreement. In the event this transaction closes, then subject to City's express representations, warranties, and covenants in this Agreement, Developer acknowledges and agrees that it has determined that the respective Project Property it has acquired and all improvements thereon are in a condition satisfactory to Developer based on Developer's own inspections and due diligence, and Developer has accepted such Project Property in their present condition and subject to ordinary wear and tear up to the date of Closing. The terms of this Paragraph shall survive the Closing and/or the delivery of the deed.

11. **Developer's Representations and Warranties of Developer.** Developer represents, covenants, and warrants the following to be true:

a. **Authority.** Developer has the power and authority to enter into and perform Developer's obligations under this Agreement.

b. **Litigation.** No judgment is outstanding against Developer and no litigation, action, suit, judgment, proceeding, or investigation is pending or outstanding before any forum, court, or governmental body, department or agency or, to the knowledge of Developer, threatened, that has the stated purpose or the probable effect of enjoining or preventing the Closing.

c. ***Bankruptcy.*** No insolvency proceeding, including, without limitation, bankruptcy, receivership, reorganization, composition, or arrangement with creditors, voluntary or involuntary, affecting Developer or any of Developer's assets or properties, is now or on the Closing Date will be pending or, to the knowledge of Developer, threatened.

12. **Conditions Precedent.** This Agreement and all of the obligations of Developer under this Agreement are, at Developer's option, subject to the fulfillment, before or at the time of the Closing, of each of the following conditions:

a. ***Performance.*** The obligations, agreements, documents, and conditions required to be signed and performed by City shall have been performed and complied with before or at the date of the Closing.

b. ***City Commission Approval.*** This Agreement is approved by the Muskegon City Commission.

13. **Default.**

a. ***By Developer.*** In the event Developer fails to comply with any or all of the obligations, covenants, warranties, or agreements under this Agreement and such default is not cured within ten (10) days after receipt of notice (other than Developer's failure to tender the purchase price in full at Closing, a default for which no notice is required), then City may terminate this Agreement.

b. ***By City.*** In the event City fails to comply with any or all of the obligations, covenants, warranties or agreements under this Agreement, and such default is not cured within ten (10) days after receipt of notice, then Developer may either terminate this Agreement or Developer may pursue its legal and/or equitable remedies against City including, without limitation, specific performance.

14. **Closing.**

a. ***Date of Closing.*** The closing date of this sale shall be as mutually agreed by the parties, but in no event later than 60 days from the City Commission's approval of the sale ("Closing"), unless this Agreement is terminated in accordance with its provisions. The Closing shall be conducted at such time and location as the parties mutually agree.

b. ***Costs.*** The costs associated with this Agreement and the Closing shall be paid as follows: (i) Developer shall pay any state and county transfer taxes in the amount required by law; (ii) City shall pay the premium for the owner's Title Policy, provided that Developer shall pay for any and all endorsements to the Title Policy that Developer desires; (iii) City shall be responsible to pay for the recording of any instrument that must be recorded to clear title to the extent required by this Agreement; (iv) Developer shall pay for the cost of recording the deed; and (v) Developer and City shall each pay one-half of any closing fees charged by the Title Company.

c. ***Deliveries.*** At Closing, City shall deliver a quit claim deed for the Project Properties and Developer shall pay the purchase price. The quit claim deed to be delivered by City at closing shall include the City Right of Reversion described in Paragraph 4 above. The parties shall execute and deliver such other documents reasonably required to effectuate the transaction contemplated by this Agreement.

15. **Real Estate Commission.** Developer and City shall each be responsible for any fees for any real estate agents, brokers, or salespersons regarding this sale that it has hired, but shall have no obligation as to any fees for any real estate agents, brokers, or salespersons regarding this sale that the other party has hired.

16. **Notices.** All notices, approvals, consents and other communications required under this Agreement shall be in writing and shall be deemed given: (i) when delivered in person; (ii) when sent by fax or email; (iii) when sent by a nationally-recognized receipted overnight delivery service with delivery fees prepaid; or (iv) when sent by United States first-class, registered, or certified mail, postage prepaid. The notice shall be effective immediately upon personal delivery or upon transmission of the fax or email; one day after depositing with a nationally recognized overnight delivery service; and five (5) days after sending by first class, registered, or certified mail.

Notices shall be sent to the parties as follows:

To City: City of Muskegon
Attn.: Samantha Pulos, Code Coordinator
933 Terrace Street
Muskegon, MI 49440

To Developer: Four Properties LLC
6049 Clyde Park Ave SW, Byron Center, MI 49315
Cell: 616-729-2595
tyce@completerooftingrepair.com

17. **Miscellaneous.**

a. **Governing Law.** This Agreement will be governed by and interpreted in accordance with the laws of the state of Michigan.

b. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties and supersedes any other agreements, written or oral, that may have been made by and between the parties with respect to the subject matter of this Agreement. All contemporaneous or prior negotiations and representations have been merged into this Agreement.

c. **Amendment.** This Agreement shall not be modified or amended except in a subsequent writing signed by all parties.

d. **Binding Effect.** This Agreement shall be binding upon and enforceable by the parties and their respective legal representatives, permitted successors, and assigns.

e. **Counterparts.** This Agreement may be executed in counterparts, and each set of duly delivered identical counterparts which includes all signatories, shall be deemed to be one original document.

f. **Full Execution.** This Agreement requires the signature of all parties. Until fully executed, on a single copy or in counterparts, this Agreement is of no binding force or effect and if not fully executed, this Agreement is void.

g. **Non-Waiver.** No waiver by any party of any provision of this Agreement shall constitute a waiver by such party of any other provision of this Agreement.

h. ***Severability.*** Should any one or more of the provisions of this Agreement be determined to be invalid, unlawful, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions of this Agreement shall not in any way be impaired or affected.

i. ***No Reliance.*** Each party acknowledges that it has had full opportunity to consult with legal and financial advisors as it has been deemed necessary or advisable in connection with its decision to knowingly enter into this Agreement. Neither party has executed this Agreement in reliance on any representations, warranties, or statements made by the other party other than those expressly set forth in this Agreement.

j. ***Assignment or Delegation.*** Except as otherwise specifically set forth in this Agreement, neither party shall assign all or any portion of its rights and obligations contained in this Agreement without the express or prior written approval of the other party, in which approval may be withheld in the other party's sole discretion.

k. ***Venue and Jurisdiction.*** The parties agree that for purposes of any dispute in connection with this Agreement, the Muskegon County Circuit Court shall have exclusive personal and subject matter jurisdiction and that Muskegon County is the exclusive venue.

This Agreement is executed effective as of the Effective Date set forth above.

CITY:

DEVELOPER:

CITY OF MUSKEGON

Four Properties LLC

By: _____
Name: Ken Johnson
Title: Mayor
Dated: _____

By: _____
Name: TYCE VANNOORD
Dated: _____

By: _____
Name: Ann Marie Meisch
Title: City Clerk
Dated: _____

Exhibit A

The following described premises located in the City of Muskegon, County of Muskegon, State of Michigan, and legally described as follows:

**Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 LOT(S) 3, 4 & E 1/4 LOT 5
BLK 52**

Address: 619 AMITY AVE, MUSKEGON, MI 49442

Parcel #: 61-24-205-052-0003-00

Price: \$3,750.00

(TO BE SPLIT INTO THREE BUILD-ABLE LOTS)

Exhibit B

The following described premises located in the City of Muskegon, County of Muskegon, State of Michigan, and legally described as follows:

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 E 50 FT LOT 3 BLK 52

Address: 609 AMITY AVE, MUSKEGON, MI 49442

Parcel #: TBD

Price: \$1,250.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 13.5 FT LOT 3 & E 36.5 FT LOT 4 BLK 52

Address: 619 AMITY AVE, MUSKEGON, MI 49442

Parcel #: TBD

Price: \$1,250.00

Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 W 28 FT LOT 4 & E ¼ LOT 5 BLK 52

Address: 629 AMITY AVE, MUSKEGON, MI 49442

Parcel #: TBD

Price: \$1,250.00



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Filtration - Hypochlorite Storage Tank Liner Installations							
Submitted by: Joshua Parmer, Water Filtration	Department: Public Works							
Brief Summary: Staff is requesting authorization for the installation of two PVC liners for two hypochlorite storage tanks at the Water Filtration Plant from Wagner Enterprises Inc.								
Detailed Summary & Background: The Water Filtration Plant uses sodium hypochlorite in the production of drinking water. The application of sodium hypochlorite is one of several crucial processes used to inactivate or remove pathogens from the water. Our current storage tanks were originally installed in 1997 and are showing signs of delamination on the interior walls. Replacing both tanks at this time would require significant building alterations, including removal of the roof, piping, and electrical components that are currently in the way. With the current configuration of the storage space, the installation of liners was their recommendation to extend the life of the tanks without undergoing significant building alterations to install new tanks. The installation of liners will also significantly reduce any downtime needed to extend the life of these tanks when compared to re-coating them with more fiberglass or similar materials. Fiberglass repairs have been undertaken in the past, but these repairs fail relatively quickly and do not provide a long-lasting solution. Wagner Enterprises Inc is the manufacturer's representative for all of our Belding chemical storage tanks, including the hypochlorite tanks. Other bids were not solicited at this time, as staff feels Wagner Enterprises's experience with our specific tanks is invaluable. This should make for a smooth installation process as they are familiar with the construction and material of the current tanks. The Water Filtration Plant has used an average of 456 tons of liquid sodium hypochlorite in the previous two fiscal years and is a critical component in producing safe drinking water for the City of Muskegon and our surrounding wholesale communities.								
Goal/Action Item: 2027 GOAL 4: FINANCIAL INFRASTRUCTURE - Maximized efficient use of existing infrastructure								
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:								
Amount Requested: \$78,430.00	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 10%;">X</td> <td style="width: 15%;">No</td> <td style="width: 10%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>	Yes	X	No		N/A		
Yes	X	No		N/A				
Fund(s) or Account(s): 591-901-801-92034	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 10%;"></td> <td style="width: 15%;">No</td> <td style="width: 10%;">X</td> <td style="width: 15%;">N/A</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>	Yes		No	X	N/A		
Yes		No	X	N/A				

Recommended Motion:

I move to authorize staff to contract with Wagner Enterprises Inc for the installation of two PVC liners in two hypochlorite storage tanks at the Water Filtration Plant.

Approvals:

Immediate Division Head	X	
Information Technology		
Other Division Heads		
Communication		
Legal Review		

Name the Policy/Ordinance Followed:

July 16, 2025
Quote #70,377 – R1

City of Muskegon Water Filtration
1900 Beach St.
Muskegon, MI 49441

REF: PVC LINER FOR (2) CLOSED TOP FRP TANKS – MUSKEGON, MI

Attn: Josh Parmer Ph: 231-724-4105 Email: joshua.parmer@shorelinecity.com

Estimated Lead-Time: approximately 10 to 12 weeks depending on production schedule and material supply when order is placed.

Allow 15-20 working days to receive prints for approval after onsite measurements are taken

Terms: Net 30 days after completion of fabrication

Applicable State or Local taxes are not included.

F.O.B.: Muskegon, MI

To be Shipped Via: Best Way

Salesperson: Michael Mastracci / Kelly LaFehr

Quote valid for: 30 days

We are pleased to submit our proposal for the following:

PVC TANK LINER

Qty 2 – One (1) 40 mil (.040") PVC #328 NSF-61 closed top liner for a tank 144" diameter x 171" deep with domed top, inside dimensions.

Including the following per tank:

- One layer of 30 mil (.030") plastic sheeting for installation between tank bottom and liner. Sheeting will prevent any damage to the liner if the tank surface is slightly rough.
- Flexible, flanged tubes to line 9 flanged fittings (two manways and nine smaller fittings)
- All necessary materials for suspending a closed top liner in a closed top tank.
- Supervisor and crew to install this liner in a closed top FRP tank. Including all travel and living expenses
- Overnight water test
- Site visit to take measurements and discuss any changes that might need to be made to accommodate our liner.
- The grinding and smoothing off of all fittings and brackets prior to the liner being installed.
- Approximate installation time based on supplying one installation supervisor two helpers 2 ½ - 3 days.

PRICE: \$39,215.00 each tank TOTAL (2): \$78,430.00



This proposal is based on information and on specifications supplied for bidding and our interpretation of that information, along with our recommendations and/or changes for fabrication. Prices are subject to review and possible adjustment for any changes made that deviate from the outline given.

This proposal DOES NOT include any of the following unless noted above:

- A. Unloading or Installation of equipment, or any required permits.
- B. Hold down bolts / anchors.
- C. All fasteners and gaskets.
- D. Any electrical, instrumentation, exterior piping, piping hook up, valves, pumps, etc.
- E. Testing such as; Hydro Test, Physical Testing, A/E Test, etc.
- F. Design calculations, stamped or un-stamped.

If we can be of any further service to you, please contact us.

Sincerely,

WAGNER ENTERPRISE, INC.



MICHAEL MASTRACCI

Cell: 586-864-2697

Email: mike@wagnerenterprise.com

MM/kl





Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Filtration - Powder Activated Carbon (PAC)
Submitted by: Joshua Parmer, Water Filtration	Department: Public Works

Brief Summary:
Staff requests authorization to purchase Powder Activated Carbon (PAC) from Water Solutions Unlimited for \$33,290.

Detailed Summary & Background:

PAC is added to the water at the beginning of the treatment process during the summer and fall to remove taste and odor compounds. For many years, PAC was purchased from Water Solutions Unlimited, and they supplied the plant with whatever product was available. In 2023, staff spent time searching for a product that would be optimal for our water, and after much research, AquaSorb CB3-MW was selected. AquaSorb CB3-MW was used throughout 2023 and 2024, and the lack of customer complaints related to taste and odor indicated staff's research paid off, and the product is effective. Also, due to the higher quality product, the water plant used approximately 2,000lbs less PAC compared to previous years. Staff is recommending the purchase and use of AquaSorb CB3-MW for another season. This is the one treatment chemical that isn't purchased as part of the treatment chemical purchasing consortium. Staff solicited quotes from five suppliers. Three suppliers were unable to provide quotes: Haviland is the most expensive, Water Solutions Unlimited was the lowest provided quote and AquaSorb CB3-MW has proven to be an effective product. This is budgeted as part of our treatment chemical purchases.

Supplier	Product	Cost
Activated Carbon	GC WaterCarb	No quote provided
Water Solutions Unlimited	AquaSorb CB3-MW	\$33,290
Calgon	WPH1000	No quote provided
Haviland Products Company	Havatreat 247	\$50,080
Carb USA	No NSF Product Available	No quote provided

Additional reasons for the recommendation of AquaSorb CB3-MW include the following:

- General Carbon's product is a bituminous coal-based PAC. Research indicates it can effectively remove taste and odor compounds, but it can also have the potential to impart its own taste and odor to the water. AquaSorb is a more environmentally friendly blend of coconut/wood/coal products compared to solely bituminous coal

- products, and has been shown to be effective for a broader range of compounds.
- AquaSorb has been shown to effectively remove Geosmin and MIB, two major contributors to tastes and odors in drinking water. Geosmin was detected in the water in 2022.
 - AquaSorb has been shown to effectively remove microcystins, a toxin produced by cyanobacteria. While microcystins have only been infrequently detected in incredibly low quantities in our lake water, it is an emerging problem. We will benefit from having a product on hand that can aid in the removal of microcystins if needed.
 - Data suggests that AquaSorb is effective at lower doses. We have had issues in the past with blockages developing in our carbon feed pipelines when we feed higher doses.

Goal/Action Item:

2027 Goal 4: Financial Infrastructure

Is this a repeat item?:

Explain what change has been made to justify bringing it back to Commission:

Amount Requested:

\$33,290.00

Budgeted Item:

Yes	X	No		N/A		
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Fund(s) or Account(s):

591-558-739

Budget Amendment Needed:

Yes		No	X	N/A		
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Recommended Motion:

I move to authorize staff to purchase powder activated carbon (AquaSorb CB3-MW) from Water Solutions Unlimited for \$33,290.00.

Approvals:

Immediate Division Head	X	
Information Technology		
Other Division Heads		
Communication		
Legal Review		

Name the Policy/Ordinance Followed:



City of Muskegon WFP
1900 Beach St.
Muskegon, MI 49441

June 12, 2025

Water Solutions Unlimited Chemical Pricing

Product	Price	Package
Aquasorb CB1	\$2.28 per lb.	44 lb. bag
Aquasorb CB3	\$2.07 per lb.	44 lb. bag

Delivery is \$85.00. Please allow 1 week for delivery. If you have any questions, please contact me.

Russ Teders
Water Solutions Unlimited
8824 Union Mills Drive
Camby, IN 46113
Office 1-800-359-3570
Cell 1-419-615-3441

getwsu.com
1-800-359-3570

P.O. Box 157
8824 Union Mills Drive
Camby, IN 46113



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Ordinance Amendment: Curfew						
Submitted by: Timothy Kozal, Public Safety Director	Department: Public Safety						
Brief Summary: The police department recommends changing the City of Muskegon's Curfew Ordinance definition of any minor under the age of 16 years of age or younger to under the age of 17 years of age or younger. This will follow suit with the State of Michigan's change of the definition of juvenile from 17 to 18 to ensure 17-year-olds are protected under the curfew ordinance.							
Detailed Summary & Background: In 2021, in accordance with the Michigan Juvenile Justice Reform Act of 2018, the definition of juvenile changed from age 17 and under to 18 and under in MCL Section 712A.1. The police department recommends changing the City of Muskegon's Curfew Ordinance definition of any minor under the age of 16 years of age or younger to under the age of 17 years of age or younger. This will follow suit with the State of Michigan's change of the definition of juvenile to ensure 17-year-olds are protected under the curfew ordinance.							
Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life							
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:							
Amount Requested: 0	Budgeted Item: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Recommended Motion: I move to change Chapter 54, Article VII, Section 54-241 of the Code of Ordinances from any minor 16 years of age or younger to any minor 17 years of age or younger.							
Approvals: <table border="1"><tr><td>Immediate Division Head</td><td>☒</td><td></td></tr><tr><td>Information</td><td></td><td></td></tr></table>	Immediate Division Head	☒		Information			Name the Policy/Ordinance Followed: Chapter 54, Article VII, Section 54-241
Immediate Division Head	☒						
Information							

Technology			
Other Division Heads			
Communication			
Legal Review			

1023

**City of Muskegon
Muskegon County, Michigan
Ordinance Amendment No. _____**

THE CITY OF MUSKEGON HEREBY ORDAINS:

1. Chapter 54, Article VII, Section 54-241 of the Code of Ordinances of the City of Muskegon, Michigan, is amended to read as follows:

Sec. 54-241. Curfew for underage persons.

- (a) It is unlawful for any minor 17 years of age or younger to loiter, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any place unsupervised by an adult having the lawful authority to be at such places between the hours of 11:00 p.m. on any day and 6:00 a.m. of the following day; provided that the provisions of this subsection shall not apply in the following instances:

- (1) When a minor is accompanied by such minor's parent, guardian or other adult person having the lawful care and custody of the minor.

- (2) When the minor is upon an emergency errand directed by such minor's parent or guardian or other adult person having the lawful care and custody of such minor.

- (3) When the minor is returning directly home from a school activity, entertainment, recreational activity or dance.

- (4) When the minor is returning directly home from lawful employment that makes it necessary to be in the places referenced in this section during the proscribed period of time.

- (5) When the minor is attending or traveling directly to or from an activity involving the exercise of the first amendment rights of free speech, freedom of assembly or free exercise of religion.

- (6) When the minor is engaged in interstate travel with the consent of his parent or guardian.

- (b) It is unlawful for the parent, guardian or other person having custody or control of any child to allow such child to violate the provisions of subsection (a) of this section.

- (c) Any person who violates this section shall be responsible for a municipal civil infraction.

This ordinance adopted:

Ayes: _____
Nays: _____

Adoption Date: _____
Effective Date: _____
First Reading: _____
Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Marie Meisch, MMC
City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the _____ day of _____, 2025, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted, and public notice was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2025

Ann Marie Meisch, MCC
City Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on _____, 2025 the City Commission of the City of Muskegon amended Section 54-241 of Chapter 54, Article VII, "Offenses and Miscellaneous Provisions", whereby the following change was made:

1. Chapter 54, Article VII, Section 54-241 is amended to prohibit a minor 17 years of age or younger from violating the City's curfew ordinance.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

CITY OF MUSKEGON

Published: _____, 2025

Ann Marie Meisch, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Downtown Muskegon Social District Expansion Request
Submitted by: Deborah Sweet, Community Engagement Manager	Department: Community Engagement
Brief Summary: Muskegon City Market, LLC (221 W Webster Ave) and Hackley Castle (349 W Webster Ave) have formally requested to expand the social district to include their establishments.	
Detailed Summary & Background: On behalf of Muskegon City Market and Hackley Castle, staff are requesting an expansion of the Downtown Muskegon Social District. The proposal is to expand the district to include an additional block on Third St from Webster to Muskegon Ave, Webster from 4th to 1st, and 2nd St and 1st St from Clay to Webster (see map). Staff believe the proposed expansion design will simplify the district boundaries, making them more intuitive for patrons. The updated outline better aligns the southern edge and includes the Hackley Castle within the district footprint from the start. Please note: Hackley Castle will not be added to the social district at this time, but this adjustment makes them eligible for inclusion in the future without requiring a formal expansion—streamlining administrative processes. The next agenda item is the formal request to permit Muskegon City Market, LLC, into the Downtown Muskegon Social District. MLCC has confirmed that approving both of these items in one meeting is allowed. Staff have contacted all current businesses within the social district. Feedback has been overwhelmingly positive, except for one business expressing concern that the expansion may dilute the district and doubting that patrons will travel from the expanded area to purchase social district beverages.	
Historic Social District Changes • Summer 2020 Downtown Muskegon Social District Plan was approved • April 2021 The plan was amended to remove the property at 490 W. Western Avenue, owned by Port City CIO Building Association, which requested removal because special non-profit licenses could not be issued inside of a social district in the initial law. • April 2022 The plan was amended on April 26, 2022, to add Hackley Park, areas along Clay Avenue from Second to Fourth Streets, and the property at 490 W. Western Ave., owned by Port City CIO Building Association. • May 2024 At the May 28, 2024, Commission Meeting, the Social District Expansion proposal failed. The proposal was to extend the Downtown Muskegon Social District across Shoreline	

Drive to allow the Shoreline Inn, the Lakehouse, and the Brewer's Lounge by Pigeon Hill to join. The common area would cross Shoreline at 5th St and 3rd St, be on the bike trail from 5th to 3rd, and follow the sidewalk up Terrace Point Rd.

- o Discussion on the topic noted safety concerns regarding crossing Shoreline Drive and a request to see the timing of the crosswalks adjusted by MDOT, and potential problems with additional trash being left along the trail. **Update from MDOT since that meeting:** Pedestrian signals along Shoreline Drive were originally set to allow crossing only to the median in one signal cycle. Last year, the signals at Terrace Point Rd/3rd St, 4th St, 7th St, and Western Ave were adjusted to allow full crossings in a single Walk signal. The Terrace St intersection remains unchanged due to its longer distance and wider, more protected median, which would require significantly longer red lights and could increase traffic delays. It's also important to note that Walk signals are activated only when pedestrians press the push button—without it, no signal is given, and crossing isn't advised.

Goal/Action Item:

2027 Goal 1: Destination Community & Quality of Life

Is this a repeat item?:

Explain what change has been made to justify bringing it back to Commission:

The current expansion request includes an expansion up to Muskegon Ave. The previous request was an expansion across Shoreline Dr.

Amount Requested:

N/A

Budgeted Item:

Yes		No		N/A	x	
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Fund(s) or Account(s):

N/A

Budget Amendment Needed:

Yes		No		N/A	x	
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Recommended Motion:

to approve the amended Downtown Muskegon Social District plan and map as presented.

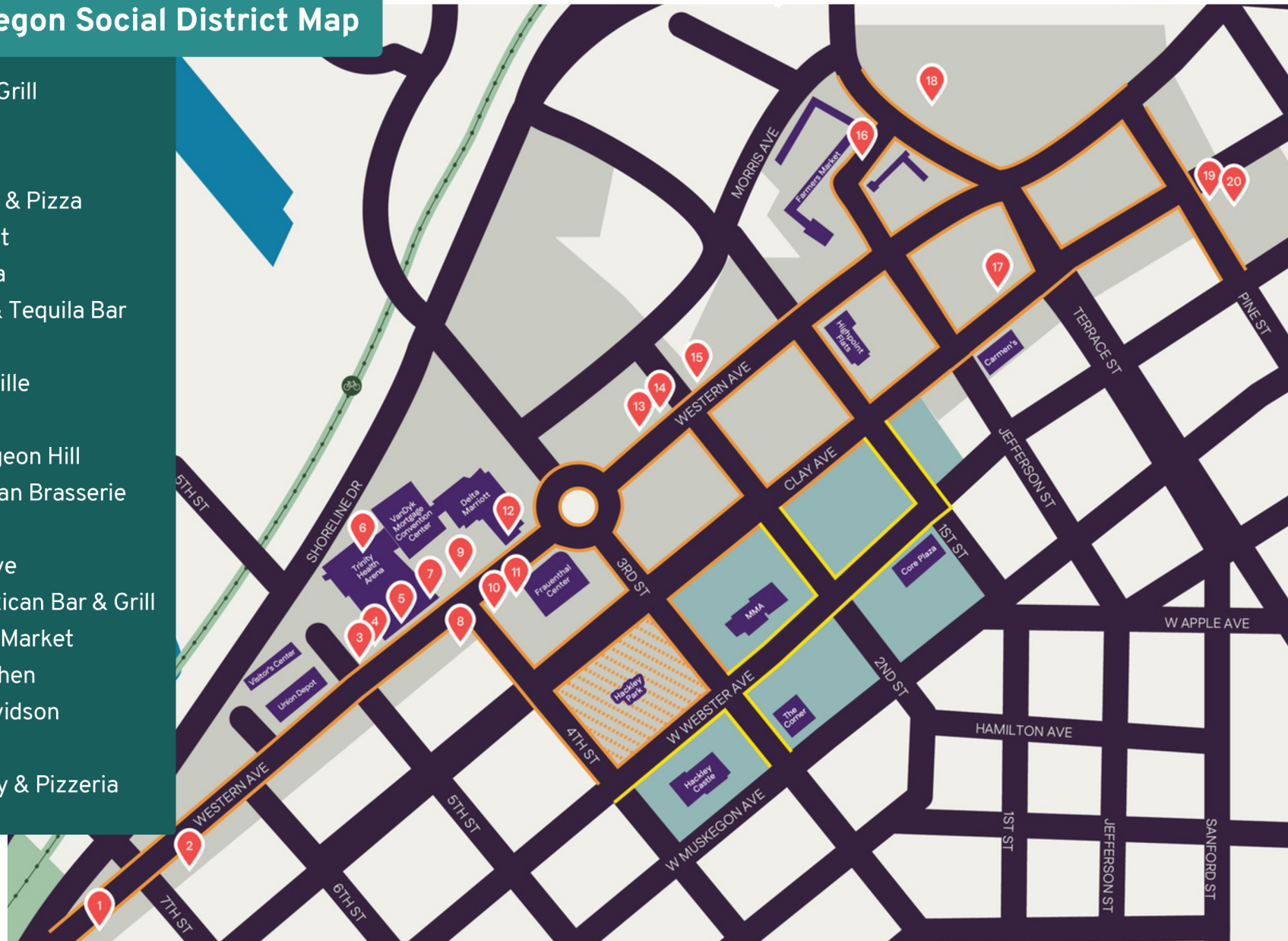
Approvals:

Immediate Division Head	x	
Information Technology		
Other Division Heads	x	
Communication	x	
Legal Review		

Name the Policy/Ordinance Followed:

Downtown Muskegon Social District Map

1. No Name Saloon & Grill
2. Mike's Inn
3. Rake Beer Project
4. Topshelf Liquor Bar & Pizza
5. Carlisle's Restaurant
6. Trinity Health Arena
7. RAD DADS' Tacos & Tequila Bar
8. Dr. Rolf's Barbeque
9. Legends Bar and Grille
10. The Early Owl
11. The Socibowl by Pigeon Hill
12. Walker's An American Brasserie
13. Unruly Brewing Co.
14. The Western Reserve
15. Puerto Vallarta Mexican Bar & Grill
16. Muskegon Farmers Market
17. Nipote's Italian Kitchen
18. Hot Rod Harley-Davidson
19. 794 Kitchen & Bar
20. Capone's Speakeasy & Pizzeria



DRAFT EXPANSION

Draft as of 8/4/25

- | | |
|--|---|
|  = Current Social District |  = Proposed Expanded Social District |
|  = Current Common Area |  = Proposed Expanded Common Area |

Downtown Muskegon Social District Plan

Adopted Aug. 25, 2020

Amended April 27, 2021

Amended April 26, 2022

Amended August 12, 2025 (pending approval)

Introduction: The City of Muskegon seeks to take advantage of Michigan Public Act 124 of 2020 signed in to law on July 1, 2020, as amended by Public Act 27 of 2022. This is enabling legislation that allows Michigan municipalities to establish Social Districts that would allow for “common areas” where two or more contiguous licensed establishments (bars, distilleries, breweries, restaurants and tasting rooms) could sell alcoholic beverages in special cups to be taken into the area for consumption. Muskegon city administration through a collaboration of all city departments is designing a Muskegon Social District and the policies, parameters and management of this new community development tool. This Muskegon Social District Plan is being shared with potential license holder users for refinement of the plan, a final draft will be presented to the Muskegon City Commission for approval and sent on to the Michigan Liquor Control Commission for state concurrence. The Muskegon City Commission approved the plan Aug. 25, 2020, and it has been accepted by the MLCC. The district began operations the third weekend in September 2020 and has been operating continually since. The plan was amended by the City Commission April 27, 2021, again April 26, 2022, and again August 12, 2025.

Management: The Muskegon Social District would be created and managed by the city manager’s office. The district’s management and operations would be assisted by the city’s public safety, public works, clerk and finance departments.

District Boundaries: The Downtown Muskegon Social District would have a common area south of Shoreline Drive with the potential of expanding to the north in the future. The initial Muskegon Social District would be mainly along West Western Avenue from Eighth Street to Pine Street, including portions of Clay Avenue, Morris Avenue, Third Street and Jefferson Street. Specifically, the plan amended by the Muskegon City Commission April 26, 2022, adds Hackley Park. areas along Clay Avenue from Second to Fourth Streets and the property at 490 W. Western Ave., owned by Port City CIO Building Association. In August 2025 the plan was amended to add properties along Webster Ave from 4th to 1st Street and the connection streets to connect with the current common area. Streets in the Social Districts would remain open to traffic and for parking, unless parking spaces are given to outdoor dining. **The district is being proposed with the expectation of certain properties being developed that would include future businesses with liquor licenses that might expand the common area.**

Potential Participating License Holders as of August 2025: No Name Saloon, Mike’s Bar, Socibowl by Pigeon Hill, Top Shelf Pizza, Trinity Health Arena/Rad-Dads/Carlisle’s, Dr. Rolf’s, Legend’s Bar & Grill, Walker’s An American Brasserie, Unruly Brewing Co., Puerto Vallarta Mexican Grill and Bar, Western Reserve, Muskegon Farmers Market, Nipote’s Italian Kitchen, Kitchen 794, Capone’s Speakeasy & Pizzeria, Rake Beer Project, Hot Rod Harley Davidson, The Early Owl; Muskegon Eagles #668, Frauenthal

Center, The Culinary Institute of Michigan, The Block, Lumberman's Vault. All eligible license holders can be found online at www.michigan.gov/lara/bureau-list/lcc/faq/social-districts

Participating license holders would be asked to sign a Social District agreement with the city, which must recommend approve of the social district permits issued by the MLCC. This allows a license holder to sell alcoholic beverages in special district cups in its service area to be taken into the common area for consumption. Businesses that are not licensed as bars, restaurants, or tasting rooms are not permitted to allow alcoholic beverages inside their premises, even if they are located within the boundaries of the Social District.

In accordance with Michigan Public Act 124 of 2020, consumption of Social District beverages is only allowed in designated [outdoor commons areas](#) or inside establishments that hold the appropriate MLCC license and Social District permit. Non-licensed retail or service businesses within the district may not permit alcohol inside.

Operations: The Muskegon Social Districts would operate year-round but the district's potential seasonal road closures along with outdoor services and amenities would be from May 1 to Oct. 31. Operations would be seven days a week. The common areas would be open from 11 a.m. until 11 p.m. Before 11 a.m. and after 11 p.m., Social District beverages would not be able to be possessed nor consumed in the common areas. After hours, consumption of alcoholic beverages would have to be contained within the license holders' service areas.

It was the intent of city administration to begin implementing the Muskegon Social Districts in 2020. After an initial roll out, the district was fully activated in the spring of 2021 with the entire Muskegon Social District plan implemented.

Special Summer Saturday Hours: Downtown Social District will be open earlier on Saturdays to support the summer season.

- Effective Dates: Saturdays Memorial Day Weekend through Labor Day Weekend Annually
- Summer Saturday Start Time: 8:30 AM (instead of 11:00 AM)
- Closing Time: Remains unchanged (11:00 PM)

Special New Years Eve Hours: The operating hours of the Downtown Muskegon Social District will be extended on New Year's Eve, contingent upon the occurrence of a free public "ball drop" or similar celebratory event within the district.

- Date: December 31
- Hours: Open from 11 AM to 11:59 PM
- Extension: Until 1:00 AM on January 1
- Last Call: 12:30 AM January 1
- The downtown social district will resume regular hours at 11 AM on January 1, 2025.

District Designation and Marking: The boundaries of the Muskegon Social Districts would be clearly designated and marked with signs along streets and sidewalks. The signs could be accompanied by a trash receptacle for customers to dispose of used district cups as they exit the district.

Social District Financing: The Muskegon Social District established, implemented and managed by the City of Muskegon must generate enough revenue to cover its costs. A number of funding models could

Drafted for 8/12/25

pay for the Muskegon Social District. The option going forward is a fee for a district sticker purchased by the establishments from the city needed on beverages purchased for possession and consumption in the common areas. Participating establishments could handle the surcharge however they choose within their product price structure. The cup could contain a sponsor logo or message that could generate dollars for the district. Revenues would pay for initial implementation such as signs and trash receptacles and ongoing costs such as the stickers, security-enforcement, sanitation, marketing-promotion and entertainment.

Social District Stickers and Beverage Containers: The Muskegon Social District must have a unique sticker for use on the non-glass district beverage cups of no more than 16 ounces. The establishment cups need to be branded to differentiate among license holders with a logo or name identifying the establishment. Muskegon Social District cups may not be reused, must remain in the establishment where they were purchased or in the common area and may not be taken into an establishment that did not sell the beverage.

Security-Enforcement: Security and enforcement in the Muskegon Social Districts would be provided by the Muskegon Police Department. The Muskegon Social District may hire certified private security personnel to assist within the district.

Insurance: The city would insure its management and operation of the Muskegon Social District through its municipal umbrella insurance policy. Participating license holders would be left to secure their own liability insurance as they deem necessary.

Sanitation: The Muskegon Public Works Department with heavy assistance from participating establishments would provide sanitation within the district including trash removal, litter pick up on a daily basis and deployment of portable toilets, if needed. Each participating license holder would be required to have a city provided trash receptacle outside of its entrances for the disposal of district cups and empty those receptacles when needed. The city would maintain its current downtown trash receptacles.

Marketing and Promotion: The Muskegon Social District is the branded name for marketing purposes and a distinctive logo. Marketing is to be done through traditional free media and paid advertising along with extensive social media.

Entertainment/Food Trucks: The Muskegon Social District has the opportunity to provide entertainment on a regular basis and food trucks when warranted. The district includes three small stages to provide various musical acts, including Olthoff Stage, Alcoa Square and the Farmers Market. The district could also coordinate and promote individual establishments wanting to feature musical entertainment. Finally, food trucks could be introduced to drive visitors into the district and create a street-fair atmosphere when deemed necessary.

Festivals/Special Events: The state's Social District law now allows special event liquor licenses to operate in a Social District. Such special licenses are the backbone of several large festival events historically within Muskegon's Social District. Going forward, the Muskegon Social District, its participating license holders and event organizers will work with the City of Muskegon to make sure that events with alcoholic beverage will not allow its beverages to enter the Social District nor Social District

beverages to enter the special event area. Ongoing coordination and collaboration with downtown events and festivals will be needed.

RESOLUTION APPROVING DOWNTOWN MUSKEGON SOCIAL DISTRICT AMENDED PLAN AND MAP

City of Muskegon
County of Muskegon, Michigan

Minutes of a Regular Meeting of the City Commission of the City of Muskegon, County of Muskegon, Michigan (the "City"), held Muskegon City Hall, 933 Terrace on the 12th day of August 2025 at 5:30 p.m., prevailing Eastern Time.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____ and supported by _____.

WHEREAS, in accordance with Public Act 124 of 2020 as amended with Public Act 27 of 2022 on the establishment of Social Districts within a Michigan city; and

WHEREAS, restaurants and bars, which have been key contributors to the historic redevelopment of Downtown Muskegon, and increasing availability of outdoor spaces for dining and drinking will assist downtown and its businesses; and

WHEREAS, Public Act 124 of 2020 as amended empowers local governments like the City of Muskegon to enhance its downtowns with Social Districts and accompanying Common Areas where purchasers may consume and possess alcoholic beverages sold by multiple qualified Michigan Liquor Commission licensees who obtain Social District Permits; and

WHEREAS, the City Commission has received requests to redesignate and now expand a Downtown Muskegon Social District; and

WHEREAS, the City Commission has considered the potential impact of the requested expansion of the Social District on the public health, safety and welfare of the city; and

WHEREAS, the City Commission approved a Muskegon Downtown Social District initial plan and map the 25th day of August 2020 and the district has been operating since

the third weekend in September 2020, amended the Social District plan and map on the 27th day of April 2021 and the 26th day of April 2022, and

WHEREAS, the City Commission desires to designate an amended downtown Social District with a Common Area; and

WHEREAS, the City Commission has reviewed the Downtown Muskegon Social District and Common Areas in light of Act 27 of 2022;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following Social District containing a Common Area is described in the attached and amended plan and map that adds Third St from Webster to Muskegon Ave, Webster from 4th to 1st, and 2nd St and 1st St from Clay to Webster to the district, and
2. That the Common Area within the Social District, the City Manager, or his/her designee, is authorized to make minor and reasonable adjustments to the Common Area to safeguard public health, safety and welfare, and
3. That the Social District and Common Area have at least two qualified, participating and permitted Liquor Control Commission licensees, and
4. That the signage placed to clearly define and mark the limits of the Common Area shown in the plan and on the Social District map, and
5. The management and maintenance of the Social District and Common Area shall be conducted by city staff in accordance with the operational details in the plan, and
6. That the Social District and Common Area shall be maintained in a manner that protects the health and safety of the city, and
7. That, if the Social District and Common Area are deemed to be a public health and safety concern, a public hearing revoking the plan will be held before the City Commission in accordance with Act. 124 of 2020.as amended

Be it Further Resolved that the Mayor and City Clerk are hereby authorized to execute all documents necessary to file the amended Muskegon Downtown Social District plan and map with the Michigan Liquor Control Commission.

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED APPROVED.

Ken Johnson, Mayor

Ann Marie Meisch, City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, State of Michigan, at a regular meeting held on August 12, 2025 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended and modified by the governor's COVID-19 executive order and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Ann Marie Meisch, City Clerk



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Resolution for 221 West Webster Avenue Social District Permit									
Submitted by: Deborah Sweet, Community Engagement Manager	Department: Community Engagement									
Brief Summary: Muskegon City Market, LLC is requesting to join the Downtown Muskegon Social District for their bar, The Vault Food Collective, located at 221 West Webster Ave.										
Detailed Summary & Background: Muskegon City Market, LLC is requesting to join the Downtown Muskegon Social District for their bar, The Vault Food Collective, located at 221 W Webster Ave—located inside the Core Plaza. The Michigan Liquor Control Commission (MLCC) has approved its liquor licenses. To meet state requirements under MCL 436.1551, the business must now receive approval from the City Commission to apply for a Social District Permit through the state.										
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business										
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:										
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;">☐</td> <td style="width: 15%;">No</td> <td style="width: 15%;">☐</td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">X</td> <td style="width: 15%;">☐</td> </tr> </table>	Yes	☐	No	☐	N/A	X	☐		
Yes	☐	No	☐	N/A	X	☐				
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;">☐</td> <td style="width: 15%;">No</td> <td style="width: 15%;">☐</td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">X</td> <td style="width: 15%;">☐</td> </tr> </table>	Yes	☐	No	☐	N/A	X	☐		
Yes	☐	No	☐	N/A	X	☐				
Recommended Motion: to approve the Social District Permit for Muskegon City Market, LLC at 221 West Webster Ave, Muskegon, MI 49440 for consideration by the Michigan Liquor Control Commission.										
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 30%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td style="text-align: center;">x</td> <td></td> </tr> </table>	Immediate Division Head	x		Information Technology			Other Division Heads	x		Name the Policy/Ordinance Followed: MCL 436.1551
Immediate Division Head	x									
Information Technology										
Other Division Heads	x									

Communication	x		
Legal Review			



Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ City of Muskegon _____ council/board
(regular or special) (name of city, township, or village)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from Muskegon City Market, LLC
(name of licensee - if a corporation or limited liability company, please state the company name)

for a **Social District Permit** is _____ by this body for consideration for approval by the
(recommended/not recommended)

Michigan Liquor Control Commission.

If not recommended, state the reason: _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____
(regular or special) (date) (name of city, township, or village)

I further certify that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Social District Permit Application

Part 1 - Licensee Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it appears on your Articles of Incorporation / Organization.

Licensee name: MUSKEGON CITY MARKET, LLC		
Address: 221 W WEBSTER AVE		
City: MUSKEGON	State: MI	Zip Code: 49440
Contact Name: DEREK EDLUND	Phone: (231) 903-9323	Email: DEDLUND@VAULFOODCOLLECTIVE.CO

Part 2 - Required Documents & Fees

☐ Local Governmental Unit Approval <i>Approval from the local governmental unit (city council, township board, village council) is required to be submitted with this application (See page 2 for approval form)</i>	
☒ \$70.00 Inspection Fee (MLCC Fee Code 4036)	TOTAL DUE: Make checks payable to State of Michigan
☒ \$250.00 Social District Permit Fee (MLCC Fee Code 4081)	

Leave Blank - MLCC Use Only

Part 3 - Signature of Licensee

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this permit for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

BRUCE JOHN ESSEX, JR	 Signature of Licensee	07/23/2025 Date
Print Name of Licensee & Title		

Please return this completed form and fees to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906
Fax with Credit Card Authorization to: 517-284-8557



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Amendment to the zoning ordinance - Extending the hours of operation for marihuana retailers and provisioning centers. (SECOND READING)
Submitted by: Mike Franzak, Planning Director	Department: Planning
Brief Summary: Request to amend Section 2331 of the zoning ordinance to allow marihuana retailers and provisioning centers with approved drive-thru access to remain open for drive-thru sales only between 12 a.m. and 2 a.m., by The Grassy Knoll.	
Detailed Summary & Background: In April 2024, the applicant requested to amend the ordinance to be able to operate 24 hours per day. The ordinance that was proposed was not well written and would have eliminated any hours of operation for all other retail stores. The request was ultimately denied. This request is much more well written and should not cause any unintentional hardships for other marihuana retailers. There are currently three approved drive-through locations within the city. These are located at The Bodega (885 E Apple Ave), The Grassy Knoll (2125 Lemuel St), and Greencraft (551 Young Ave). <u>Current Ordinance Excerpt</u> Section 2331: Marihuana Facilities Overlay District 3. Provisioning Centers, Retailers, Microbusinesses and Designated Consumption Establishments may operate between the hours of 8 am and 12 am. <u>Proposed Ordinance (additions italicized)</u> Section 2331: Marihuana Facilities Overlay District 3. Provisioning Centers, Retailers, Microbusinesses and Designated Consumption Establishments may operate between the hours of 8 am and 12 am. <i>daily; however, Provisioning Centers and Retailers with approved drive-thru access may remain open for drive-thru sales only between the hours of 12 am and 2 am, provided all other applicable local, state, and safety regulations are met.</i> <u>Current Drive-Thru Regulations</u> Section 2331: Marihuana Facilities Overlay District 3.d. Curbside/Drive-Thru. Curbside delivery is allowed at all retail sale locations with an approved site plan that does not impede traffic or pedestrian safety. Drive-thru's are allowed as a special use permitted under the following conditions: i. The underlying zoning designation must be B-2, B-4, MC, I-1, I-2 or any Form Based Code designation/building type that allows for drive-thru businesses. ii. Drive-thru windows must be located on private property. Streets and alleys may only be used for the movement of traffic and may not be used for drive-thru vehicular stacking.	

iii. A traffic study must be performed showing the anticipated number of stacking spaces and where they would be located on site.

Staff Recommendation

Staff do not have a recommendation on whether marihuana establishments should be open longer. However, the proposed ordinance is well written and could be incorporated into the ordinance properly. Staff do have some concerns about the applicant's ability to follow the established guidelines. Staff have had discussions with the applicant for the past couple of years about their desire to host temporary campground events on-site during special events around the city. That use type is not allowed in their zoning district (I-1) and would need an amendment for them to proceed. Staff have discovered that a beach event in August is advertising overflow camping at The Grassy Knoll.

Planning Commission Recommendation

A motion was made to approve the request to allow marihuana retailers and provisioning centers with approved drive-thru access to remain open for drive-thru sales only between 12 a.m. and 2 a.m. However, the motion failed (5 no, 1 yes, 3 absent).

Goal/Action Item:

2027 Goal 2: Economic Development Housing and Business

Is this a repeat item?:

Explain what change has been made to justify bringing it back to Commission:

Amount Requested:

N/A

Budgeted Item:

N/A

Fund(s) or Account(s):

N/A

Budget Amendment Needed:

N/A

Recommended Motion:

I move to approve the request to amend Section 2331 of the zoning ordinance to allow marihuana retailers and provisioning centers with approved drive-thru access to remain open for drive-thru sales only between 12 a.m. and 2 a.m.

Approvals:

Name the Policy/Ordinance Followed:

ARTICLE XXIII – GENERAL PROVISIONS

- a. Change in any building size, up to five percent (5%) in total floor area
- b. Relocation of a dumpster
- c. Drive relocations
- d. Modification of up to 10% of the total parking area
- e. Sign location
- f. The addition of small accessory buildings (of not more than one hundred twenty square feet in area)
- g. Movement of buildings or other structures by no more than ten feet
- h. Replacement of plant material specified in the landscape plan with comparable materials
- i. Changes in building materials to comparable or higher quality materials
- j. Change in floor plans which do not alter the character of the use
- k. Changes required or requested by the City or other regulatory agency in order to conform to their laws or regulations

Requests for site plan modifications will be duly recorded by the Zoning Administrator and reflected by the applicant in the “as built” plans.

17. As-built plans: Upon completion of the project, and prior to the issuance of a Certificate of Occupancy or Certificate of Compliance, three as-built plans, accurately demonstrating compliance with grades and drainage plan, shall be provided to the Zoning Administrator. The Zoning Administrator shall provide one copy to the Assessor, and one copy to the Building Official.

SECTION 2331: MARIHUANA FACILITIES OVERLAY DISTRICT

A Marihuana Facilities Overlay District is hereby created as outlined in Figure 23-2. Within said overlay district only, Medical Marihuana Facilities and Recreational Marihuana Facilities to the extent licensed pursuant to City Code Sections 34-201 through 34-208 and 34-301 through 34-307 are permitted.

1. Overlay District:
 - a. Location: Please see Figure 23-2 for the location of the overlay district. Within the entire overlay district, licenses for Provisioning Centers, Growers, Processors, Secure Transporters and Safety Compliance Facilities are permitted for Medical Marihuana Facilities. A smaller area within the overlay district allows for Recreational Marihuana licenses for Retailers, Microbusiness, Designated Consumption Establishments, Temporary Marihuana Events, Growers, Processors, Secure Transporters and Safety Compliance Facilities.
2. Grower, Excess Grower, and Processor Requirements:

- a. Signage. Signage shall follow the regulations set forth by the underlying zoning district.
 - b. Building and Site Amenities. All Grower and Processor facilities must meet the following amenity requirements:
 - i. Bay doors. Buildings must have bay doors in which a secure transport vehicle can enter for delivery.
 - ii. Canopy. Buildings must have a canopy or decorative awning over the main entrance to the building.
 - iii. Lighting. There shall be ornamental lighting on the exterior of the building at all ingress and egress doors. There shall also be at least one decorative street lamp with banner brackets every 150 feet of linear road frontage. The Zoning Administrator may require these lamps to be located off-site within the overlay district to create a cohesive look for the district.
 - iv. Landscaping plan. Decorative landscaping shall be provided with irrigation. All new construction projects shall require underground sprinkling. Please see Part G, Landscaping Requirements.
 - v. Street furniture/amenities. There shall be at least one bench, bike rack, trash can or bus shelter located on site. The Zoning Administrator may require any of these over another to keep a diversified look throughout the district. Properties that cannot meet these requirements because of site conditions may allow the Zoning Administrator to locate these amenities anywhere within the district or within 500 feet of its boundaries.
 - vi. Carbon filtration system. The building shall be equipped with an activated carbon filtration system for odor control and be maintained in working order.
 - c. Waste Disposal Plan. A plan must be approved for the disposal of waste, chemicals and unused plant material.
 - d. Security. There must be a security presence in place on the property at all times, either by licensed security guard(s) and/or security cameras. A floor plan with security details is required.
3. Provisioning Center, Retailer, Microbusiness and Designated Consumption Establishment Requirements:
- a. Hours. Provisioning Centers, Retailers and Microbusinesses and Designated Consumption Establishments may operate between the hours 8 am and 12 am.
 - b. Signage. Signage shall follow the regulations set forth by the underlying zoning district.
 - c. Building and Site Amenities. All Provisioning Centers, Retailers, Microbusinesses and Designated Consumption Establishments must meet the following amenity requirements:
 - i. Canopy. Buildings must have a canopy or decorative awning over the main entrance to the building.

- ii. Security shutters. The interior of all windows shall require security shutters that give the appearance of shutters or window shades. Metal bars and gates are prohibited.
 - iii. Lighting. There shall be ornamental lighting on the exterior of the building at all ingress and egress doors. There shall also be at least one decorative street lamp with banner brackets every 150 feet of lineal road frontage. The Zoning Administrator may require these lamps to be located off-site within the overlay district to create a cohesive look for the district.
 - iv. Landscaping plan. Decorative landscaping shall be provided with irrigation. All new construction projects shall require underground sprinkling. Please see Part G, Landscaping Requirements.
 - v. Street furniture/amenities. There shall be at least one bench, bike rack, trash can or bus shelter located on site. The Zoning Administrator may require any of these over another to keep a diversified look throughout the district. Properties that cannot meet these requirements because of site conditions may allow the Zoning Administrator to locate these amenities anywhere within the district or within 500 feet of its boundaries.
 - vi. Carbon filtration system. The building shall be equipped with an activated carbon filtration system for odor control and be maintained in working order.
- d. Curbside/Drive Thru. Curbside delivery is allowed at all retail sale locations with an approved site plan that does not impede traffic or pedestrian safety. Drive thrus are allowed as a special use permitted under the following conditions:
- i. The underlying zoning designation must be B-2, B-4, MC, I-1, I-2 or any Form Based Code designation/building type that allows for drive thru businesses.
 - ii. Drive thru windows must be located on private property. Streets and alleys may only be used for the movement of traffic and may not be used for drive thru vehicular stacking.
 - iii. A traffic study must be performed showing anticipated number of stacking spaces and where they would be located on site.
- e. Security. There must be a security presence in place on the property at all times, either by licensed security guard(s) and/or security cameras. A floor plan with security details is required.
4. Safety Compliance Facility Requirements:
- a. Indoor Activities. All activities of a marihuana safety compliance facility shall be conducted within the structure and out of public view.
 - b. Building and Site Amenities. All Safety Compliance Facilities must meet the following amenity requirements:
 - i. Canopy. Buildings must have a canopy or decorative awning over the main entrance to the building.

- ii. Lighting. Ornamental lighting is required on the exterior of the building at all ingress and egress doors. There shall also be at least one decorative street lamp with banner brackets every 150 feet of lineal road frontage. The Zoning Administrator may require these lamps to be located off-site within the overlay district to create a cohesive look for the district.
 - iii. Landscaping Plan. Decorative landscaping shall be provided and all landscaping shall be irrigated. All new construction projects shall require underground sprinkling. Please see Part G, Landscaping Requirements.
 - iv. Street furniture/amenities. There shall be at least one bench, bike rack, trash can or bus shelter located on site. The Zoning Administrator may require any of these over another to keep a diversified look throughout the district. Properties that cannot meet these requirements because of site conditions may allow the Zoning Administrator to locate these amenities anywhere within the district or within 500 feet of its boundaries.
- c. Security. There must be a security presence in place on the property at all times, either by licensed security guard(s) and/or security cameras. A floor plan with security details is required.
 - d. Chemical waste and plant disposal plan. A list of all chemicals used in testing and how they will be disposed of must be provided. The plan must also show how marihuana plants and products will be disposed.

5. Secure Transporter Requirements:

- a. Storage. Marihuana and supplies, materials or money shall not be kept in any secure transport vehicle overnight. Outdoor storage, excluding transport vehicles is prohibited.
- b. Building and Site Amenities. All Secure Transporter buildings must meet the following amenity requirements:
 - i. Canopy. Buildings must have a canopy or decorative awning over the main entrance to the building.
 - ii. Lighting. Ornamental lighting is required on the exterior of the building at all ingress and egress doors. There shall also be at least one decorative street lamp with banner brackets every 150 feet of lineal road frontage. The Zoning Administrator may require these lamps to be located off-site within the overlay district to create a cohesive look for the district.
 - iii. Landscaping Plan. Decorative landscaping shall be provided and all landscaping shall be irrigated. All new construction projects shall require underground sprinkling. Please see Part G, Landscaping Requirements.
 - iv. Street furniture/amenities. There shall be at least one bench, bike rack, trash can or bus shelter located on site. The Zoning Administrator may require any of these over another to keep a diversified look throughout the district. Properties that cannot meet these requirements because of site conditions may allow the Zoning Administrator to locate these amenities anywhere within the district or within 500 feet of its boundaries.

- c. Security. There must be a security presence in place on the property at all times, either by licensed security guard(s) and/or security cameras. A floor plan with security details is required.

6. Temporary Marihuana Event Requirements:

- a. Temporary Marihuana Events may be held within the allowed area for Recreational Marihuana Facilities, including parking lots and the public right-of-way, with the issuance of all necessary local and state permits.

7. Landscaping Requirements:

- a. All required front setbacks shall be landscaped with a minimum of two canopy or shade trees, four understory or evergreen trees and four shrubs, for each 30 lineal feet of road frontage. Access ways from public rights-of-way through required landscape strips shall be permitted, but such access ways shall not be subtracted from the lineal dimension used to determine the minimum number of trees and shrubs required.
- b. All terraces (area between street and sidewalk) shall be landscaped with a minimum of one canopy tree for each 20 lineal feet of road frontage.
- c. Properties that cannot meet these landscaping requirements because of site conditions may allow the Zoning Administrator to locate the required landscaping anywhere within the overlay district or within 500 feet of its boundaries. Required understory trees, evergreen trees and shrubs may be replaced with canopy trees within the terrace at a 1:1 ratio.



CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Section 2331 of the zoning ordinance to amend the hours of operation for marihuana retailers and provisioning centers.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Section 2331: Marihuana Facilities Overlay District

3. Provisioning Center, Retailer, Microbusinesses, and Designated Consumption Establishment Requirements

- a. Hours. Provisioning Center, Retailer, Microbusinesses, and Designated Consumption Establishments may operate between the hours of 8 a.m. and 12 a.m. daily; however, Provisioning Centers and Retailers with approved drive-thru access may remain open for drive-thru sales only between the hours of 12:00 am and 2:00 a.m., provided all other applicable local, state, and safety regulations are met.

This ordinance adopted:

Ayes: _____

Nayes: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 12th day of August, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2025.

Ann Meisch, MMC

Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on August 12, 2025, the City Commission of the City of Muskegon adopted an ordinance to amend Section 2331 of the zoning ordinance to amend the hours of operation for marihuana retailers and provisioning centers.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2025.

CITY OF MUSKEGON

By _____

Ann Meisch, MMC

City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Amendment to the zoning ordinance - Allowing marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts. (SECOND READING)
Submitted by: Mike Franzak, Planning Director	Department: Planning
Brief Summary: Staff-initiated request to amend the zoning ordinance to allow marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts.	
Detailed Summary & Background: This request was brought about after staff had contact with a couple of property owners about land use issues on their properties. If this request is approved, staff will look to rezone several properties in the current Waterfront Marine (WM) district along Lakeshore Dr to Form Based Code, Lakeside Mixed Residential (FBC-LMR) at a future meeting. The owner at 2984 Lakeshore Dr wanted to demo and rebuild his house. However, residential uses are not allowed in the WM district and the existing house was considered legally non-conforming (grandfathered). The owner was forced to seek a variance to rebuild the house and the request was eventually approved. The new house plans were approved, but the new house would have to meet the existing setbacks in WM, which is 10/14 (side setback requirement) for a two-story house. Residential setbacks are usually much smaller, such as five feet in many districts. There are eight houses located in the WM district, all of which are considered legally non-conforming. With this current zoning, all property owners will have difficulty rebuilding, putting on additions and possibly even refinancing. The owner at 3092 Lakeshore Dr. demoed the existing house on site and wants to build a multi-family house, between 6-8 units. This is not allowed since residential is not a permitted use in the WM district. Staff are not exactly sure why the entire area was zoned WM, but it has been that way since at least 1986. Were these residential properties hoping to have marinas added to their properties? Was it zoned in an effort to transform this area into strictly marina and phase out residential? Without having a clear answer, staff decided to hold a focus group among the property owners to see what their vision was for their properties moving forward. At the meeting, it was discovered that most of the homeowners wanted to continue to stay strictly residential. A couple of the homeowners wanted to stay residential, but add a marina to the property. All the homeowners stated that they did not have an objection to allowing residential with a higher density than single-family. After the focus group meeting, it was clear that the best path forward would be to allow multi-family residential and marinas on these properties. The FBC-LMR district allows for small multiplexes (up to six units) but it does not allow for marinas. Staff are proposing to amend the ordinance to make marinas	

a permitted use in this context, then to rezone these eight properties to FBC-LMR. A clause was added to the amendment that states "marinas are a permitted use on properties with Muskegon Lake waterfront frontage." This will eliminate the possibility of any FBC-LMR properties without lake frontage to storage boats on their properties. The master plan supports both WM and FBC-LMR as they both fit the description of a lakeshore that allows for mixed-uses.

Planning Commission Recommendation

A motion was made to recommend the request to amend the zoning ordinance to allow marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts. The motion passed (6 yes, 0 no, 3 absent).

Goal/Action Item:

2027 Goal 2: Economic Development Housing and Business

Is this a repeat item?:

Explain what change has been made to justify bringing it back to Commission:

Amount Requested:

N/A

Budgeted Item:

Yes		No		N/A	X	
-----	--	----	--	-----	---	--

Fund(s) or Account(s):

N/A

Budget Amendment Needed:

Yes		No		N/A	X	
-----	--	----	--	-----	---	--

Recommended Motion:

I move to approve the request to amend the zoning ordinance to allow marinas as a permitted use in the Form-Based Code, Lakeside Mixed Residential districts.

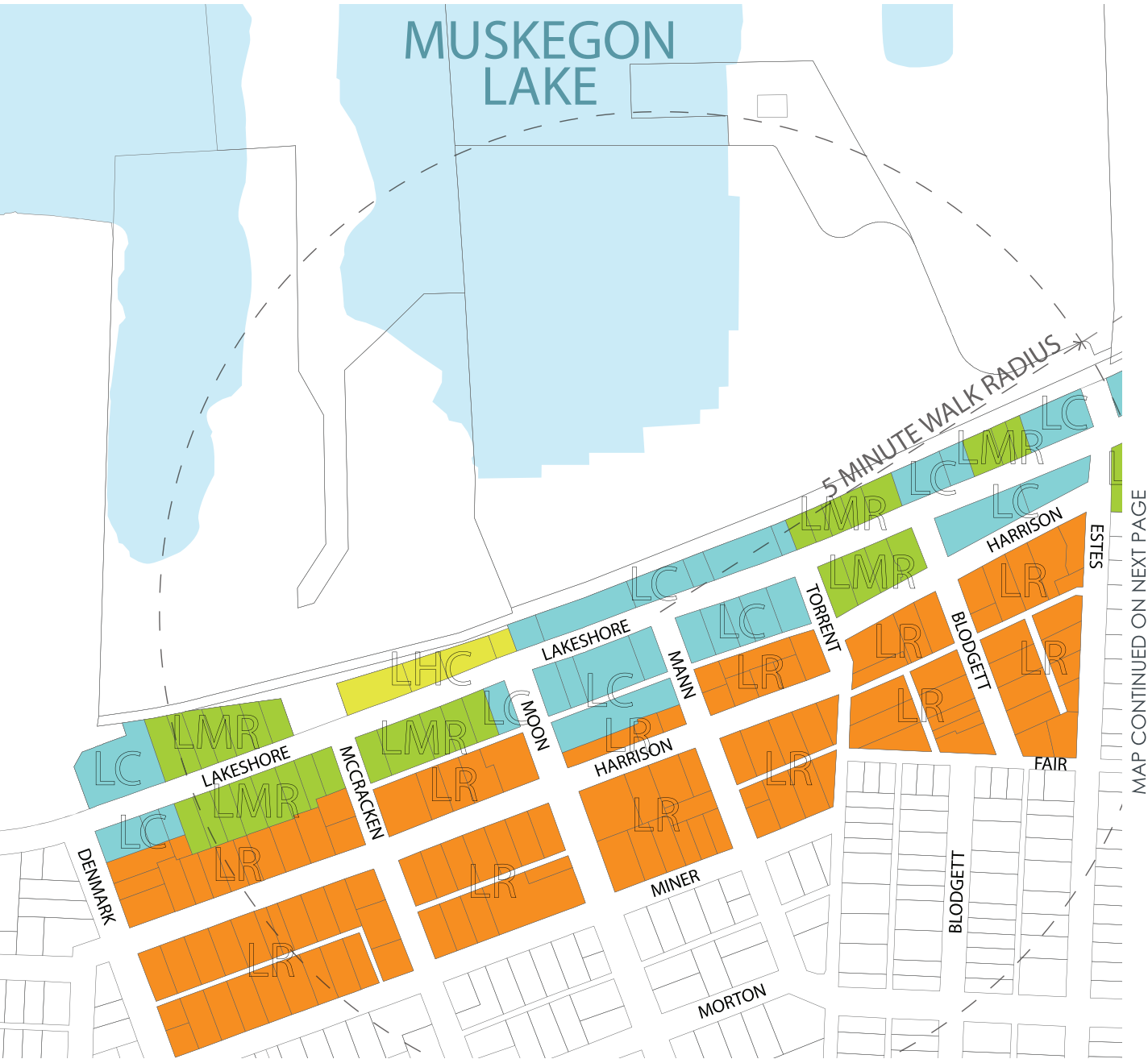
Approvals:

Immediate Division Head	X	
Information Technology		
Other Division Heads		
Communication		
Legal Review		

Name the Policy/Ordinance Followed:

2005.02 CONTEXT AREA MAP

This Map contains Context Areas for the Lakeside Form Based Code

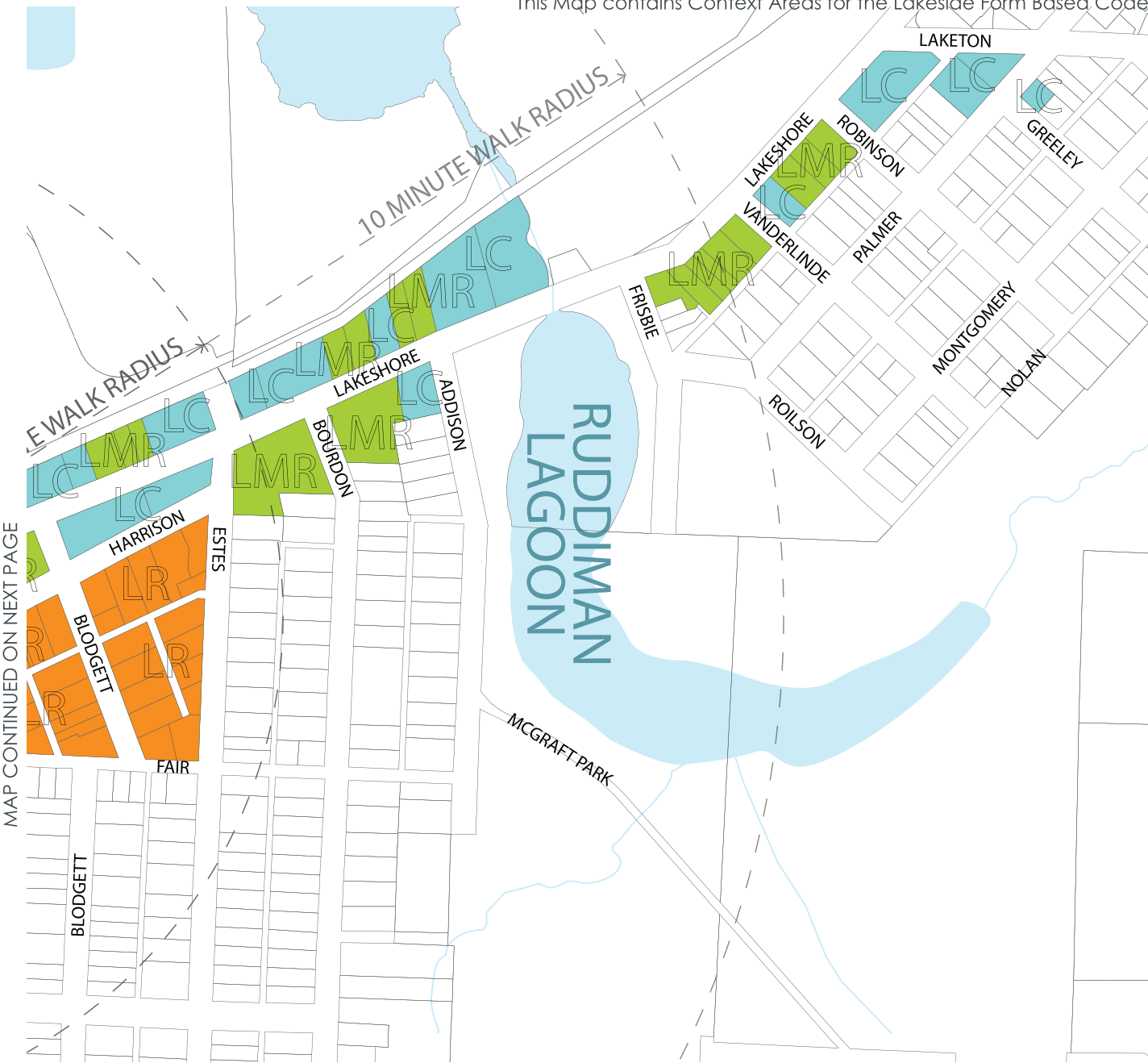


PUBLIC REALM CONTEXT AREA MAP LEGEND



2005.02 CONTEXT AREA MAP (continued)

This Map contains Context Areas for the Lakeside Form Based Code



PUBLIC REALM CONTEXT AREA MAP LEGEND



- COMMERCIAL (LC)
- HEAVY COMMERCIAL (LHC)
- MIXED RESIDENTIAL (LMR)
- RESIDENTIAL (LR)

2005.07 LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA

6.0 PERMITTED USES

LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA PERMITTED USES

Specific Use	MIXED USE BUILDING TYPE	RETAIL BUILDING TYPE	FLEX BUILDING TYPE	COTTAGE RETAIL BUILDING TYPE	LIVE / WORK BUILDING TYPE	LARGE MULTI-PLEX BUILDING TYPE	SMALL MULTI-PLEX BUILDING TYPE	ROWHOUSE BUILDING TYPE	DUPLEX BUILDING TYPE	DETACHED HOUSE BUILDING TYPE	CARRIAGE HOUSE BUILDING TYPE	CIVIC BUILDING TYPE
Accessory buildings and uses				P			P	P	P	P	P	
Amusement and recreation facility												
Auto service station				S								
Bank												
Business school/private or public school/higher ed.												
Church												P
Club, lodge, hall				S*			S*	S*	S*	S*		S*
Gallery/museum				P			P	P	P	P	P	P
Hotel/motel												
Indoor theater/live music concert hall												
Light manufacturing												
Machine shop												
Marina				P**			P**	P**	P**	P**		
Micro brewery, distillery, winery under 2500 barrels				P								
Micro brewery, distillery, winery over 2500 barrels												
Multi-family							P					
Office				P								
Outdoor recreation												
Outdoor theater												
Parking structure												
Personal service				P								
Railway terminal												P
Research and development												
Restaurant, cocktail lounge, brewpub				P								
Retail				P								

P = Permitted Use

P* = Permitted Use on floors two and above

P** = Permitted Use on properties with Muskegon Lake waterfront frontage

P# = Permitted Use on first floor only

S = Special Land Use (refer to Section 2002.02)

S* = Special Land Use requires minimum 200 feet of frontage on one street

Blank cell = Use not permitted in this Context Area

Shaded areas represent Building Types that are not permitted in this Context Area.

6.0 PERMITTED USES (continued)

Specific Use

P = Permitted Use
P* = Permitted Use on floors two and above
P** = Permitted Use on properties with Muskegon Lake waterfront frontage
P# = Permitted Use on first floor only
S = Special Land Use (refer to Section 2002.02)
S* = Special Land Use requires minimum 200 feet of frontage on one street
Blank cell = Use not permitted in this Context Area
Shaded areas represent Building Types that are not permitted in this Context Area.

2005.07 LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA**1.0 CONTEXT AREA INTENT AND DESCRIPTION****INTENT**

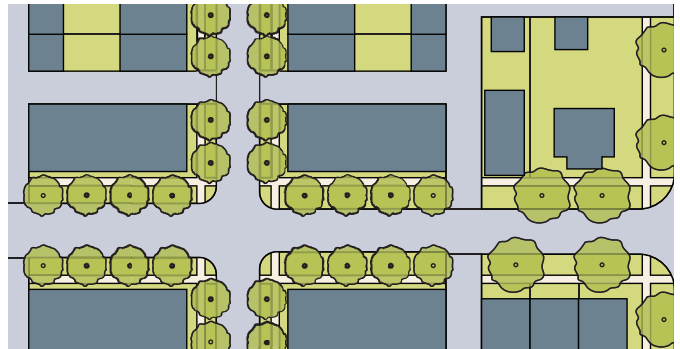
To allow for the cohesive existence of residential and business uses within the district. This Context Area allows for residential and small scale commercial uses to be placed alongside each other in a walkable, urban form.

DESCRIPTION

This Context Area is characterized by the mixture of commercial and residential uses that helps to promote walkability and commerce. Homes fronting Lakeshore Drive are allowed a third story to take advantage of lake views.

The following are generally appropriate form elements in this Context Area:

- A. Detached homes / live-work buildings
- B. Small to medium building footprint
- C. Storefront frontages

**2.0 CONTEXT AREA LOCATION**

2005.07 LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA

3.0 PERMITTED BUILDING TYPES, BUILDING TYPE HEIGHTS, AND BUILDING TYPE LOT SIZES

BUILDING TYPE WITH FRONTAGE OPTION		LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA		
		PERMITTED IN CONTEXT AREA	BUILDING HEIGHT	BUILDING LOT SIZE
MIXED-USE BUILDING TYPE	with STOREFRONT			
	with BALCONY			
	with TERRACE			
	with FORECOURT			
	with DRIVE-THROUGH			
RETAIL BUILDING TYPE	with STOREFRONT			
	with TERRACE			
	with DRIVE-THROUGH			
FLEX BUILDING TYPE	with STOREFRONT			
	with TERRACE			
	with FORECOURT			
	with DOORYARD			
COTTAGE RETAIL BUILDING	with STOREFRONT	By Right	3 story cond.* / 1 story min.	Lot Width: 25' min. / 80' max. Lot Depth: 80' min.
	with DOORYARD	By Right	3 story cond.* / 1 story min.	Lot Width: 25' min. / 80' max. Lot Depth: 80' min.
	with STOOP	By Right	3 story cond.* / 1 story min.	Lot Width: 25' min. / 80' max. Lot Depth: 80' min.
LIVE / WORK BUILDING TYPE	with STOREFRONT			
	with DOORYARD			
	with LIGHTWELL			
	with STOOP			
LARGE MULTI-PLEX BUILDING TYPE	with FORECOURT			
	with DOORYARD			
	with STOOP			
	with PROJECTING PORCH			
SMALL MULTI-PLEX BUILDING TYPE	with STOOP	By Right	3 story max. / 2 story min.	Lot Width: 50' min. / 80' max. Lot Depth: 100' min.
	with PROJECTING PORCH	By Right	3 story max. / 2 story min.	Lot Width: 50' min. / 80' max. Lot Depth: 100' min.
	with ENGAGED PORCH	By Right	3 story max. / 2 story min.	Lot Width: 50' min. / 80' max. Lot Depth: 100' min.
ROWHOUSE BUILDING TYPE	with LIGHTWELL			
	with STOOP	By Right	2 story building required	Lot Width: 16' min. / 30' max. Lot Depth: 100' min.
	with PROJECTING PORCH	By Right	2 story building required	Lot Width: 16' min. / 30' max. Lot Depth: 100' min.
DUPLEX BUILDING TYPE	with STOOP	By Right	3 story cond.* / 2 story min.	Lot Width: 35' min. / 60' max. Lot Depth: 100' min.
	with PROJECTING PORCH	By Right	3 story cond.* / 2 story min.	Lot Width: 35' min. / 60' max. Lot Depth: 100' min.
	with ENGAGED PORCH	By Right	3 story cond.* / 2 story min.	Lot Width: 35' min. / 60' max. Lot Depth: 100' min.
DETACHED HOUSE BUILDING TYPE	with STOOP	By Right	3 story cond.* / 1 story min.	Lot Width: 25' min. / 60' max. Lot Depth: 100' min.
	with PROJECTING PORCH	By Right	3 story cond.* / 1 story min.	Lot Width: 25' min. / 60' max. Lot Depth: 100' min.
	with ENGAGED PORCH	By Right	3 story cond.* / 1 story min.	Lot Width: 25' min. / 60' max. Lot Depth: 100' min.
CARRIAGE HOUSE BUILDING TYPE		By Right	2 story max. / 1 story min.	Not Applicable - Carriage House Building Type must be used as an accessory building to another building type (refer to Section 2006)
CIVIC BUILDING TYPE		By Right	2 story max. / 1 story min.	Lot Width: 25' min. / 150' max. Lot Depth: 100' min.

Shaded areas represent Building Types and / or frontages that are not permitted in specified Context Area.

* Building height labeled Conditional is permitted if fronting Lakeshore Drive.

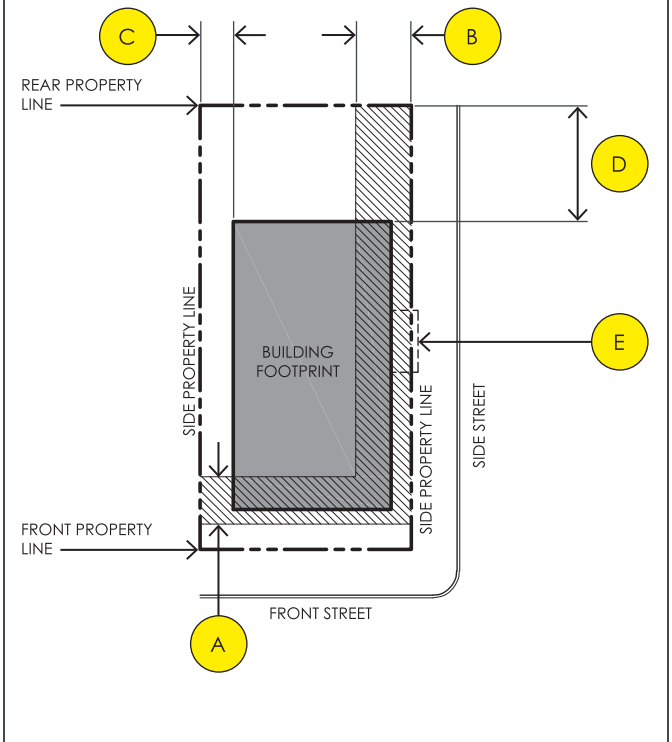
2005.07 LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA

4.0 BUILDING SITE PLACEMENT

Refer to Illustration 5.05 for building site placement.

- A. Front Build-to-Zone (at front street):
 - Required build-to-zone from 5 to 12 feet from front property line.
- B. Side Build-to-Zone (at side street):
 - Required build-to-zone from 0 to 12 feet from side property line.
- C. Side Setback (at non-street locations):
 - 0 feet from side property line.
- D. Rear Setback:
 - 0 feet from rear property line.
- E. Encroachments: Balconies, awnings, canopies, eaves, cornices, and bay windows, may project into required setbacks, beyond required build-to-zones, or into the public right-of-way as indicated in Section 2003.02.

ILLUSTRATION 5.05 BUILDING SITE PLACEMENT

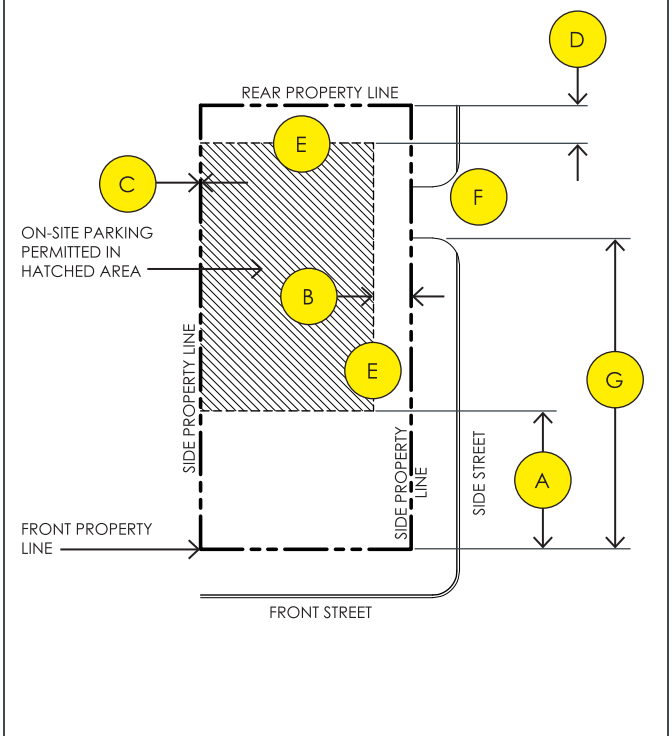


5.0 PARKING PLACEMENT

Refer to Illustration 5.06 for on-site parking placement.

- A. Front Setback:
 - 40 feet minimum from front property line.
- B. Side Setback (from side street):
 - 5 feet minimum from side property line.
- C. Side Setback (from non-street locations):
 - 0 feet from side property line.
- D. Rear Setback:
 - 0 feet from rear property line at non-street locations.
 - 5 feet from rear property line at street locations.
- E. Parking located at side or rear street locations shall be screened from the street as required by Section 2008.14.
- F. Parking / service areas shall not be accessed from front streets, unless an alley or side street is not available for driveway placement. Maximum width of driveway is 20 feet.
- G. Driveway access location:
 - Corner lot: 40 feet minimum from street corner.
 - Interior lot: within 5 feet of side property line, when alley is not available.

ILLUSTRATION 5.06 PARKING PLACEMENT



2005.07 LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA

6.0 PERMITTED USES

LAKESIDE MIXED RESIDENTIAL (LMR) CONTEXT AREA PERMITTED USES

Specific Use	MIXED USE BUILDING TYPE	RETAIL BUILDING TYPE	FLEX BUILDING TYPE	COTTAGE RETAIL BUILDING TYPE	LIVE / WORK BUILDING TYPE	LARGE MULTI-PLEX BUILDING TYPE	SMALL MULTI-PLEX BUILDING TYPE	ROWHOUSE BUILDING TYPE	DUPLEX BUILDING TYPE	DETACHED HOUSE BUILDING TYPE	CARRIAGE HOUSE BUILDING TYPE	CIVIC BUILDING TYPE
Accessory buildings and uses				P			P	P	P	P	P	
Amusement and recreation facility												
Auto service station				S								
Bank												
Business school/private or public school/higher ed.												
Church												P
Club, lodge, hall				S*			S*	S*	S*	S*		S*
Gallery/museum				P			P	P	P	P	P	P
Hotel/motel												
Indoor theater/live music concert hall												
Light manufacturing												
Machine shop												
Micro brewery, distillery, winery under 2500 barrels				P								
Micro brewery, distillery, winery over 2500 barrels												
Multi-family							P					
Office				P								
Outdoor recreation												
Outdoor theater												
Parking structure												
Personal service				P								
Railway terminal												P
Research and development												
Restaurant, cocktail lounge, brewpub				P								
Retail				P								
Shipping, port related activity												

P = Permitted Use

P* = Permitted Use on floors two and above

P# = Permitted Use on first floor only

S = Special Land Use (refer to Section 2002.02)

S* = Special Land Use requires minimum 200 feet of frontage on one street

Active uses per the Context Area Map (2005.02) include retail, restaurant/cocktail lounge/brewpub, personal service, and micro brewery/distillery/winery.

Blank cell = Use not permitted in this Context Area

Shaded areas represent Building Types that are not permitted in this Context Area.

6.0 PERMITTED USES (continued)

Specific Use

P = Permitted Use
P* = Permitted Use on floors two and above
P# = Permitted Use on first floor only
S = Special Land Use (refer to Section 2002.02)
S* = Special Land Use requires minimum 200 feet of frontage on one street
Active uses per the Context Area Map (2005.02) include retail, restaurant/cocktail lounge/brewpub, personal service, and micro brewery/distillery/winery.
Blank cell = Use not permitted in this Context Area
Shaded areas represent Building Types that are not permitted in this Context Area.



CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Article XX of the zoning ordinance to allow marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

Marinas are a permitted use in Form-Based Code, Lakeside Mixed Residential districts.

This ordinance adopted:

Ayes: _____

Nayes: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 22nd day of July, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2025.

Ann Meisch, MMC

Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on July 22, 2025, the City Commission of the City of Muskegon adopted an ordinance to amend Article XX of the zoning ordinance to allow marinas as a permitted use in Form-Based Code, Lakeside Mixed Residential districts.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2025.

CITY OF MUSKEGON

By _____

Ann Meisch, MMC

City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Resolution for MNRTF Acquisition Grant Application							
Submitted by: Kyle Karczewski, Parks and Recreation Director	Department: DPW- Parks							
Brief Summary: Staff requests authorization to apply for a Michigan Natural Resources Trust Fund (MNRTF) acquisition grant for the expansion of Hartshorn Park for a grant amount of \$908,200, subject to appraisal.								
Detailed Summary & Background: The City of Muskegon is seeking approval to apply for a MNRTF (Michigan Natural Resources Trust Fund) Acquisition Grant administered by the Michigan DNR. The parcel identified for acquisition includes a section of the bike path along the Hartshorn Boat Ramp Park and the drive and a portion of the parking lot behind Fricano's. A map is attached that highlights the parcels. The intent is to acquire a valuable waterfront parcel along Muskegon Lake to expand public access, preserve natural resources, and enhance recreational opportunities. This acquisition will support the continued development of Hartshorn Park and protect a key segment of the Muskegon Lakeshore Trail, a regional non-motorized pathway that connects residents and visitors to parks, beaches, and downtown Muskegon. The site holds strong potential for future park development, including amenities for picnicking and trail-related activities. The parcel's integration with the Lakeshore Trail promotes year-round, low-impact recreation such as walking, biking, and birdwatching, further connecting the community to the lake's natural assets. This project represents a rare opportunity to protect and enhance one of West Michigan's most important waterfronts. By securing this land, the City of Muskegon will expand public space, preserve scenic views, and promote ecological stewardship. The acquisition supports both recreational use and habitat preservation, providing long-term benefits for residents, visitors, and the health of Muskegon Lake. The listing price for the properties is \$1,211,000. The Grant amount requested is \$908,200 with the total required match amount of \$302,800 being donated by the seller.								
Goal/Action Item: 2027 Goal 1: Destination Community & Quality of Life - Parks and Recreation Department and Services								
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:								
Amount Requested: n/a	Budgeted Item: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td>x</td><td>N/A</td><td></td><td></td></tr></table>	Yes		No	x	N/A		
Yes		No	x	N/A				

Fund(s) or Account(s): n/a	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 16.6%;">Yes</td> <td style="width: 16.6%;"></td> <td style="width: 16.6%;">No</td> <td style="width: 16.6%;">x</td> <td style="width: 16.6%;">N/A</td> <td style="width: 16.6%;"></td> </tr> </table>	Yes		No	x	N/A										
Yes		No	x	N/A												
Recommended Motion: I authorize staff to apply for the Michigan Natural Resources Trust Fund (MNRTF) acquisition grant for the expansion of Hartshorn Park for a grant amount of \$908,200, subject to appraisal.																
Approvals: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	x		Information Technology			Other Division Heads			Communication			Legal Review			<u>Name the Policy/Ordinance Followed:</u>
Immediate Division Head	x															
Information Technology																
Other Division Heads																
Communication																
Legal Review																

City of Muskegon

RESOLUTION TF25-0221

WHEREAS, the City of Muskegon submitted an application to Michigan Department of Natural Resources (the "DEPARTMENT") for a Michigan Natural Resources Trust Fund Grant to make a land acquisition to expand Hartshorn Park, Boat Ramp & Marina to provide more waterfront public access.

NOW, THEREFORE LET IT BE RESOLVED, that the City of Muskegon does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City of Muskegon does hereby specifically agree, but not by way of limitation, as follows:

1. The City's match has been committed by the existing property owner, no monetary match is to be committed by the City for this Agreement.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

Motion made by Commissioner _____ and seconded by Commissioner _____.

Ayes:

Nays:

Absent:

Motion Approved.

STATE OF MICHIGAN)
) ss
COUNTY OF _____)

I, Ann Meisch, Clerk of the City of Muskegon, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the City of Muskegon at a meeting held on

_____.

Signature

Title

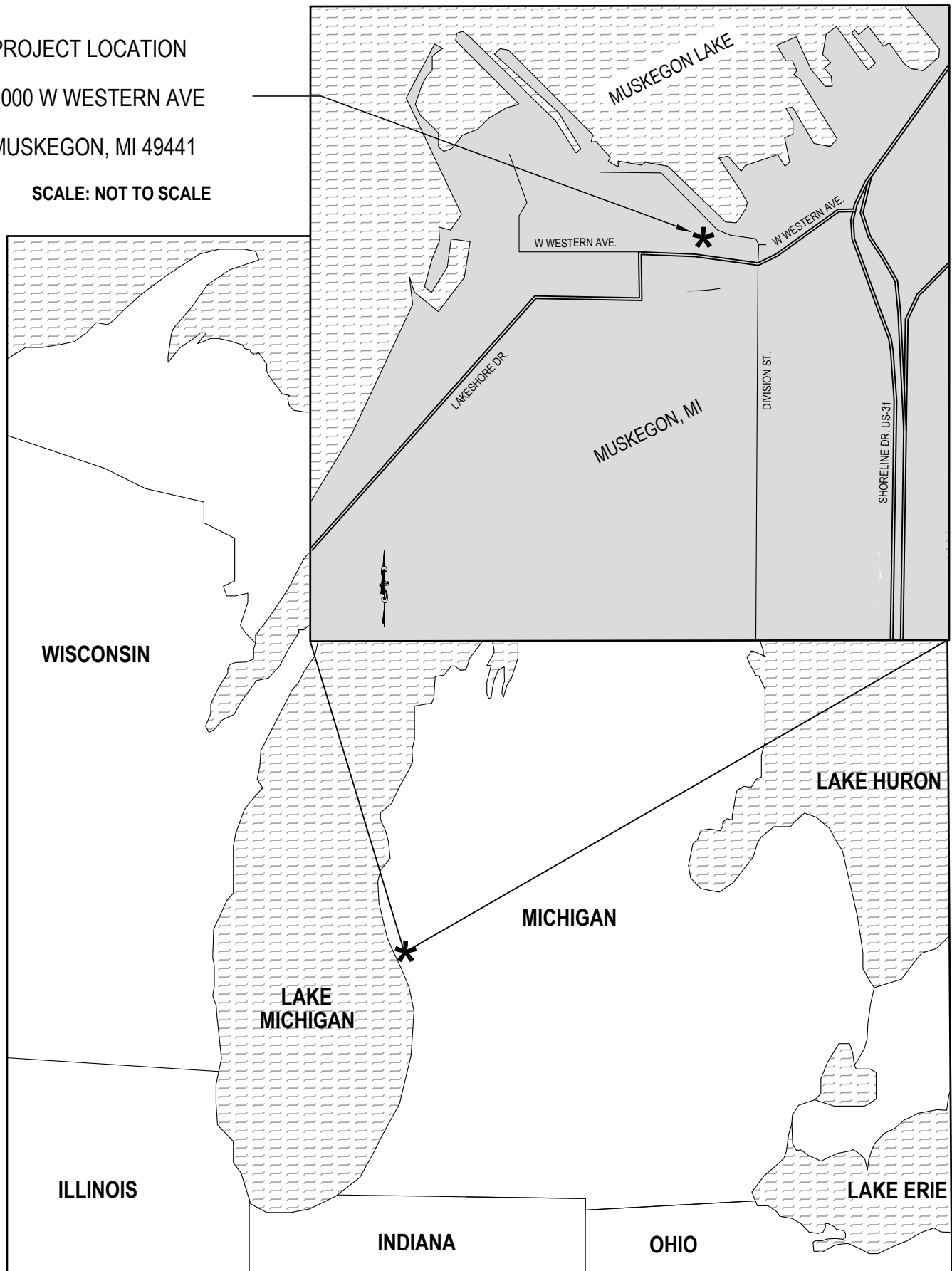
Date

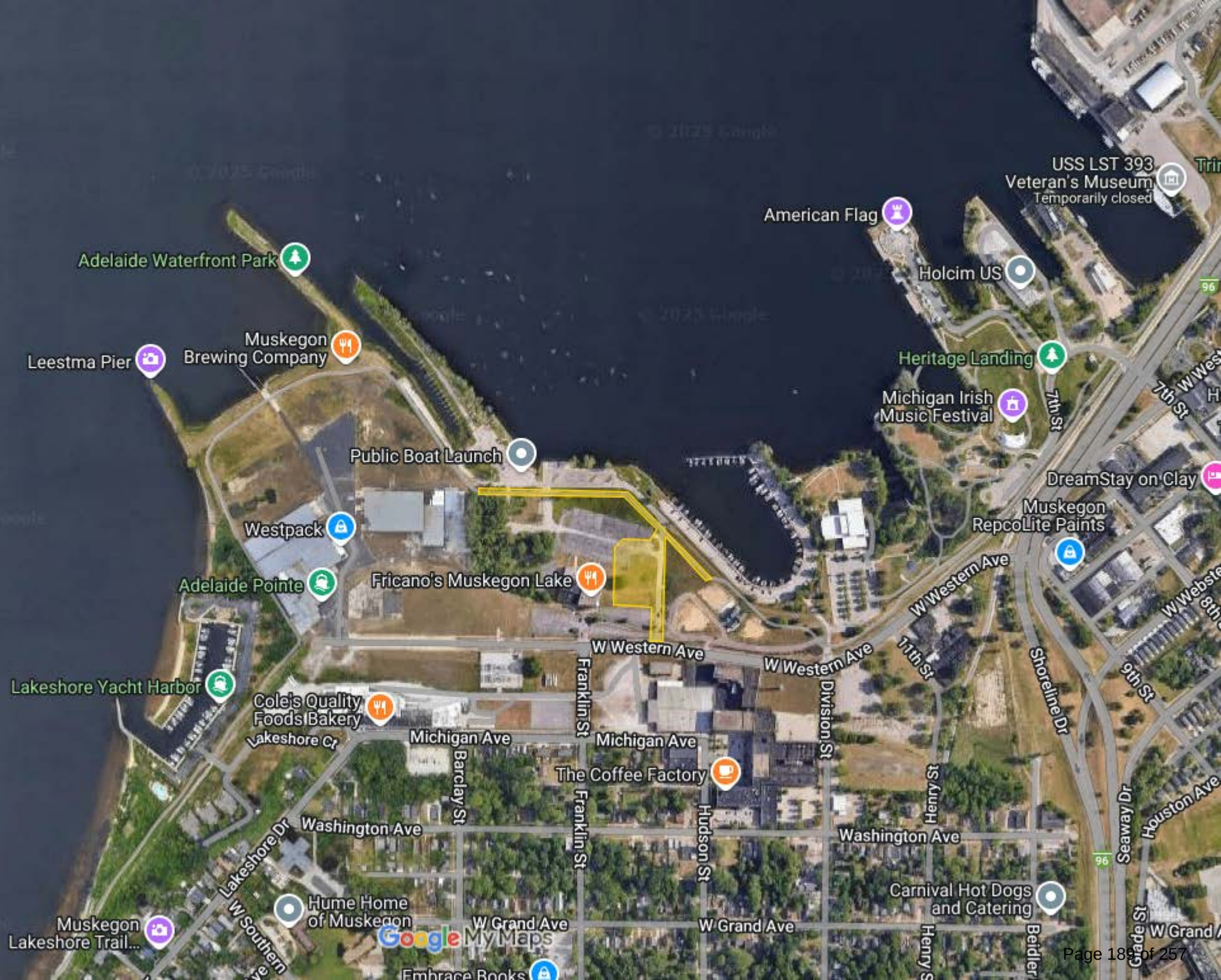
PROJECT LOCATION

1000 W WESTERN AVE

MUSKEGON, MI 49441

SCALE: NOT TO SCALE





Adelaide Waterfront Park

Leestma Pier

Muskegon
Brewing Company

Public Boat Launch

Westpack

Adelaide Pointe

Lakeshore Yacht Harbor

Cole's Quality
Foods Bakery

Lakeshore Cr

Michigan Ave

Washington Ave

Muskegon
Lakeshore Trail...

Hume Home
of Muskegon

W Grand Ave

Embrace Books

Fricano's Muskegon Lake

W Western Ave

Franklin St

The Coffee Factory

Michigan Ave

Hudson St

W Grand Ave

W Western Ave

Division St

Washington Ave

Carnival Hot Dogs
and Catering

USS LST 393
Veteran's Museum
Temporarily closed

American Flag

Holcim US

Heritage Landing

Michigan Irish
Music Festival

DreamStay on Clay

Muskegon
RepcoLite Paints

W Western Ave

11th St

Shoreline Dr

9th St

Seaway Dr

Houston Ave

Gap St

W Grand Ave



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Sale of 499 Amity												
Submitted by: Samantha Pulos, Code Coordinator	Department: Planning												
Brief Summary: Staff is seeking authorization to sell the City-owned vacant lot at 499 Amity to Sjaarda Homes and Properties LLC (Derek Sjaarda).													
Detailed Summary & Background: Sjaarda Homes and Properties LLC (Derek Sjaarda) would like to purchase the City-owned buildable lot at 499 Amity for \$3,000 (75% of the True Cash Value of \$4,000) plus half of the closing costs, and the fee to register the deed. Sjaarda Homes and Properties LLC (Derek Sjaarda) will be constructing a duplex on the property.													
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business													
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:													
Amount Requested: n/a	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">x</td> <td style="width: 15%;"></td> </tr> </table>	Yes		No		N/A	x						
Yes		No		N/A	x								
Fund(s) or Account(s): n/a	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">x</td> <td style="width: 15%;"></td> </tr> </table>	Yes		No		N/A	x						
Yes		No		N/A	x								
Recommended Motion: Authorize staff to sell the City-owned vacant lots at 499 Amity to Sjaarda Homes and Properties LLC (Derek Sjaarda).													
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">x</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td style="text-align: center;">x</td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	x		Information Technology			Other Division Heads	x		Communication			Name the Policy/Ordinance Followed: Master Plan, Zoning Ordinance, Policy for the Use & Sale of City-Owned Residential Property
Immediate Division Head	x												
Information Technology													
Other Division Heads	x												
Communication													

Legal Review			
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PURCHASE AND DEVELOPMENT AGREEMENT

This Purchase and Development Agreement (“Agreement”) is made **August 12, 2025** (“Effective Date”), between the **City of Muskegon**, a Michigan municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440 (“City”), and **Sjaarda Homes and Properties LLC**, a Michigan limited liability corporation, of 15131 Blueberry Ct, West Olive MI, 49460 (“Developer”), with reference to the following facts:

Background

A. Developer proposes to purchase and develop one (1) vacant property owned by the City which are located in the City of Muskegon, Muskegon County, Michigan, commonly known and legally described on the attached **Exhibit A** (each property individually, a “Parcel” and collectively “Project Properties”).

B. City and Developer desire to establish the terms, covenants, and conditions upon which City will sell and Developer will purchase and develop the Project Property. Developer intends to develop on the Project Property one (1) duplex. (the “Project”).

Therefore, for good and valuable consideration, the parties agree as follows:

1. **Sale and Purchase of Project Properties.** City agrees to sell to Developer, and Developer agrees to purchase from City, on the terms and subject to the conditions set forth in this Agreement, the Project Properties, subject to reservations, restrictions, and easements of record.

2. **Purchase Price.** The total purchase price for the Project Properties shall be **\$3,000.00**, which shall be paid in cash or other immediately available funds at Closing (defined below) less the **\$400** deposit that the Developer has paid to the City of Muskegon.

Pursuant to Paragraph 3(b) below, the parties acknowledge and agree that Developer shall be eligible to be reimbursed all or a portion of the purchase price for the Parcel upon the completion of certain design standards as further described herein.

3. **Construction and Development Requirements.**

a. **Construction Dates.** The parties acknowledge and agree that Developer shall have a period of eighteen (18) months from the date of Closing to complete the Project (“Construction Period”), except as otherwise provided in this Agreement or as otherwise mutually agreed upon by the parties in writing.

b. **Construction Details; Purchase Price Reimbursement.** Developer’s construction and development of the Project properties, including single-family homes, duplexes, triplexes, and accessory dwelling units, shall be in substantial conformance with its plans and specifications provided to City by Developer or as otherwise agreed upon in writing between City and Developer. As referenced above, Developer shall be eligible for reimbursement of all or a portion of the purchase price for the Project properties upon Developer’s satisfaction of the following design standards for each single-family home, duplex, triplex, and accessory dwelling unit it constructs on the Project properties. If the Project includes an accessory dwelling unit, both the primary dwelling unit (single-family home, duplex, triplex) and the accessory dwelling unit must meet the design standards outlined below to be eligible for reimbursement.

Design Standard	Purchase Price Reimbursement for Parcel
Open front porch of at least 60 sq. ft.	20%
Picture or bay window	20%
Alley-loaded parcel	20%
Shutter or other acceptable window treatments	20%
Underground Sprinkling	20%

(By way of example only: If Developer completes three of the design standards listed above for the construction at the Parcel located at 499 Amity, Developer would be reimbursed \$1,800.00, which is 60% of the \$3,000.00 purchase price for this Parcel. If Developer completes all five design standards, Developer would be reimbursed the entire purchase price for this Parcel. If Developer builds a duplex or small multiplex, Developer would be reimbursed 100% of the purchase price for this Parcel.)

4. **Right of Reversion.** Notwithstanding anything herein to the contrary, and as security for Developer's obligation to commence and complete construction of one (1) duplex on the Project Property, the quit claim deed conveying the Project properties to Developer shall contain a right of reversion in the Project Property ("City's Reversionary Right"), which may be exercised by City, in its sole and absolute discretion, if any of the following conditions occur:

a. Developer does not commence construction within sixty (60) days after the date of Closing, in which case title to all of the Project properties shall automatically revert to City upon the terms and conditions further provided in this Paragraph 4 below. For purposes of this Paragraph 4(a), commencing construction means furnishing labor and materials to the Parcel of the Project properties and beginning installation of the approved duplex.

b. Developer does not complete construction of the Project Properties prior to expiration of the Construction Period, in which case title to any of the Project Properties that are not complete by the end of the Construction Period shall automatically revert to City upon the terms and conditions further provided in this Paragraph 4 below. For purposes of this Paragraph 4(b), completing construction means the issuance of an occupancy permit by City for the Project Properties. Provided, however, the parties agree to reasonably negotiate an extension of the Construction Period up to a period of six (6) months for the Project Properties that have a completed foundation before the expiration of the initial Construction Period.

If any of the above conditions occur, City shall automatically have City's Reversionary Right to reacquire title to the Project Properties, as the case may be. To exercise City's Reversionary Right described herein, City must provide written notice to Developer (or its permitted successors, assigns, or transferees) within thirty (30) days of Developer's failure under this Agreement, but in any event prior to Developer satisfying the conditions set forth in Paragraph 4(a) or Paragraph 4(b) above, as the case may be, and record such notice with the Muskegon County Register of Deeds. Upon request of City, Developer shall take all reasonable steps to ensure City acquires marketable title to the Project properties, as the case may be, through its exercise of its rights under this Paragraph within thirty (30) days of City's demand, including without limitation, the execution of appropriate deeds and other documents.

In addition, if the Project properties revert to City, City may retain the purchase price for such Project properties free and clear of any claim of Developer or its assigns. In the event of reversion of title of the

Project properties, improvements made on such Project properties shall become the property of City. In no event shall the Project properties be in a worse condition than upon the date of Closing. These covenants and conditions shall run with the land and be recorded in the quit claim deed from City to Developer.

5. **Title Insurance.** Within five (5) days after the Effective Date, Developer shall order a title commitment for an extended coverage ALTA owner's policy of title insurance issued by Transnation Title Agency (the "Title Company") for the Project properties in the amount of the total purchase price for the Project properties and bearing a date later than the Effective Date, along with copies of all of the underlying documents referenced therein (the "Title Commitment"). Developer shall cause the Title Company to issue a marked-up commitment or *pro forma* owner's policy with respect to the Project properties at the Closing naming Developer as the insured and in form and substance reasonably satisfactory to Developer, but subject to Permitted Exceptions (defined below). As soon as possible after the Closing, Developer shall cause the Title Company to furnish to Developer an extended coverage ALTA owner's policy of title insurance with respect to the Project properties (the "Title Policy"). City shall be responsible for the cost of the Title Policy; provided, however, Developer shall be solely responsible for the cost of any endorsements to the Title Policy that Developer desires.

6. **Title Objections.** Developer shall have until the end of the Inspection Period (as defined below) within which to raise objections to the status of City's title to the Project properties. If objection to the title is made, City shall have seven (7) days from the date it is notified in writing of the particular defects claimed to either (a) remedy the objections, or (b) notify Developer that it will not remedy the objections. If Developer does not notify City in writing as to any title or survey objections, then Developer will be deemed to have accepted the condition of title as set forth in the Title Commitment. If City is unwilling or unable to remedy the title or obtain title insurance over such defects within the time period specified, then notwithstanding anything contained herein to the contrary, Developer may, at its option, upon written notice to City, either (i) terminate this Agreement and neither City nor Developer shall have any further obligation to the other pursuant to this Agreement, except as otherwise provided herein, or (ii) waive such objection, in which case such objection shall become a Permitted Exception, and thereafter proceed to the Closing according to the terms of this Agreement. Any matter disclosed on the Title Commitment that is waived or not objected to by Developer shall be deemed a "Permitted Exception."

7. **Property Taxes and Assessments.** City shall be responsible for the payment of all real estate taxes and assessments that become due and payable prior to Closing, without proration. Developer shall be responsible for the payment of all real estate taxes and assessments that become due and payable after Closing, without proration.

8. **Survey.** Developer at its own expense may obtain a survey of any or all of the Project properties, and Buyer or its surveyor or other agents may enter any of the Project properties for that purpose prior to Closing. If no survey is obtained, Developer agrees that Developer is relying solely upon Developer's own judgment as to the location, boundaries, and area of the Project properties and improvements thereon without regard to any representations that may have been made by City or any other person. In the event that a survey by a registered land surveyor made prior to Closing discloses an encroachment or substantial variation from the presumed land boundaries or area, City shall have the option of affecting a remedy within seven (7) days after disclosure, or terminate this Agreement. Developer may elect to purchase the Project properties subject to said encroachment or variation.

9. **Inspection Period.** At Developer's sole option and expense, Developer and Developer's agents may conduct inspections of each of the Project properties within thirty (30) days after the Effective Date ("Inspection Period"). Developer's inspection under this Paragraph may include, by way of example but not limitation, inspections of any existing improvements to each Parcel, other systems servicing the Parcel, zoning, and the suitability for Developer's intended purposes for each Parcel. If Developer, in

Developer's reasonable discretion, is not satisfied with the results of the inspections for any reason, Developer shall notify City in writing of Developer's prior to expiration of the 30-day Inspection Period. If Developer so notifies City, this Agreement shall be terminated and have no further force and effect. If no written objection is made by Developer within the stated period, this inspection contingency shall be deemed to be waived by Developer and the parties shall proceed to Closing in accordance with the terms of this Agreement.

10. **Condition of Project properties.** City and Developer acknowledge and agree that the Parcel in the Project properties is being sold and delivered "**AS IS**", "**WHERE IS**" in its present condition. Except as specifically set forth in this Agreement or any written disclosure statements, City has not made, does not make, and specifically disclaims any and all representations, warranties, or covenants of any kind or character whatsoever, whether implied or express, oral or written, as to or with respect to (i) the value, nature, quality, or condition of any of the Project properties, including without limitation, soil conditions, and any environmental conditions; (ii) the suitability of the Project properties for any or all of Developer's activities and uses; (iii) the compliance of or by the Project properties with any laws, codes, or ordinances; (iv) the habitability, marketability, profitability, or fitness for a particular purpose of the Project properties; (v) existence in, on, under, or over the Project properties of any hazardous substances; or (vi) any other matter with respect to the Project properties. Developer acknowledges and agrees that Developer has or will have the opportunity to perform inspections of the Project properties pursuant to this Agreement and that Developer is relying solely on Developer's own investigation of the Project properties and not on any information provided to or to be provided by City (except as specifically provided in this Agreement). If the transaction contemplated herein closes, Developer agrees to accept the respective Project properties acquired by Developer and waive all objections or claims against City arising from or related to such Project properties and any improvements thereon except for a breach of any representations or warranties or covenants specifically set forth in this Agreement. In the event this transaction closes, then subject to City's express representations, warranties, and covenants in this Agreement, Developer acknowledges and agrees that it has determined that the respective Project properties it has acquired and all improvements thereon are in a condition satisfactory to Developer based on Developer's own inspections and due diligence, and Developer has accepted such Project properties in their present condition and subject to ordinary wear and tear up to the date of Closing. The terms of this Paragraph shall survive the Closing and/or the delivery of the deed.

11. **Developer's Representations and Warranties of Developer.** Developer represents, covenants, and warrants the following to be true:

a. **Authority.** Developer has the power and authority to enter into and perform Developer's obligations under this Agreement.

b. **Litigation.** No judgment is outstanding against Developer and no litigation, action, suit, judgment, proceeding, or investigation is pending or outstanding before any forum, court, or governmental body, department or agency or, to the knowledge of Developer, threatened, that has the stated purpose or the probable effect of enjoining or preventing the Closing.

c. **Bankruptcy.** No insolvency proceeding, including, without limitation, bankruptcy, receivership, reorganization, composition, or arrangement with creditors, voluntary or involuntary, affecting Developer or any of Developer's assets or property, is now or on the Closing Date will be pending or, to the knowledge of Developer, threatened.

12. **Conditions Precedent.** This Agreement and all of the obligations of Developer under this Agreement are, at Developer's option, subject to the fulfillment, before or at the time of the Closing, of each of the following conditions:

a. **Performance.** The obligations, agreements, documents, and conditions required to be signed and performed by City shall have been performed and complied with before or at the date of the Closing.

b. **City Commission Approval.** This Agreement is approved by the Muskegon City Commission.

13. **Default.**

a. **By Developer.** In the event Developer fails to comply with any or all of the obligations, covenants, warranties, or agreements under this Agreement and such default is not cured within ten (10) days after receipt of notice (other than Developer's failure to tender the purchase price in full at Closing, a default for which no notice is required), then City may terminate this Agreement.

b. **By City.** In the event City fails to comply with any or all of the obligations, covenants, warranties or agreements under this Agreement, and such default is not cured within ten (10) days after receipt of notice, then Developer may either terminate this Agreement or Developer may pursue its legal and/or equitable remedies against City including, without limitation, specific performance.

14. **Closing.**

a. **Date of Closing.** The closing date of this sale shall be as mutually agreed by the parties, but in no event later than 60 days from the City Commission's approval of the sale ("Closing"), unless this Agreement is terminated in accordance with its provisions. The Closing shall be conducted at such time and location as the parties mutually agree.

b. **Costs.** The costs associated with this Agreement and the Closing shall be paid as follows: (i) Developer shall pay any state and county transfer taxes in the amount required by law; (ii) City shall pay the premium for the owner's Title Policy, provided that Developer shall pay for any and all endorsements to the Title Policy that Developer desires; (iii) City shall be responsible to pay for the recording of any instrument that must be recorded to clear title to the extent required by this Agreement; (iv) Developer shall pay for the cost of recording the deed; and (v) Developer and City shall each pay one-half of any closing fees charged by the Title Company.

c. **Deliveries.** At Closing, City shall deliver a quit claim deed for the Project properties and Developer shall pay the purchase price. The quit claim deed to be delivered by City at closing shall include the City Right of Reversion described in Paragraph 4 above. The parties shall execute and deliver such other documents reasonably required to effectuate the transaction contemplated by this Agreement.

15. **Real Estate Commission.** Developer and City shall each be responsible for any fees for any real estate agents, brokers, or salespersons regarding this sale that it has hired, but shall have no obligation as to any fees for any real estate agents, brokers, or salespersons regarding this sale that the other party has hired.

16. **Notices.** All notices, approvals, consents and other communications required under this Agreement shall be in writing and shall be deemed given: (i) when delivered in person; (ii) when sent by fax or email; (iii) when sent by a nationally-recognized receipted overnight delivery service with delivery

fees prepaid; or (iv) when sent by United States first-class, registered, or certified mail, postage prepaid. The notice shall be effective immediately upon personal delivery or upon transmission of the fax or email; one day after depositing with a nationally recognized overnight delivery service; and five (5) days after sending by first class, registered, or certified mail.

Notices shall be sent to the parties as follows:

To City: City of Muskegon
Attn.: Samantha Pulos, Code Coordinator
933 Terrace Street
Muskegon, MI 49440

To Developer: Sjaarda Homes and Properties LLC
Derek Sjaarda
15131 Blueberry Ct
West Olive MI 49460
Email: dlsjaarda@gmail.com
Cell: 616-723-7130

17. **Miscellaneous.**

a. **Governing Law.** This Agreement will be governed by and interpreted in accordance with the laws of the state of Michigan.

b. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties and supersedes any other agreements, written or oral, that may have been made by and between the parties with respect to the subject matter of this Agreement. All contemporaneous or prior negotiations and representations have been merged into this Agreement.

c. **Amendment.** This Agreement shall not be modified or amended except in a subsequent writing signed by all parties.

d. **Binding Effect.** This Agreement shall be binding upon and enforceable by the parties and their respective legal representatives, permitted successors, and assigns.

e. **Counterparts.** This Agreement may be executed in counterparts, and each set of duly delivered identical counterparts which includes all signatories, shall be deemed to be one original document.

f. **Full Execution.** This Agreement requires the signature of all parties. Until fully executed, on a single copy or in counterparts, this Agreement is of no binding force or effect and if not fully executed, this Agreement is void.

g. **Non-Waiver.** No waiver by any party of any provision of this Agreement shall constitute a waiver by such party of any other provision of this Agreement.

h. **Severability.** Should any one or more of the provisions of this Agreement be determined to be invalid, unlawful, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions of this Agreement shall not in any way be impaired or affected.

i. **No Reliance.** Each party acknowledges that it has had full opportunity to consult with legal and financial advisors as it has been deemed necessary or advisable in connection with its decision to knowingly enter into this Agreement. Neither party has executed this Agreement in reliance on any representations, warranties, or statements made by the other party other than those expressly set forth in this Agreement.

j. **Assignment or Delegation.** Except as otherwise specifically set forth in this Agreement, neither party shall assign all or any portion of its rights and obligations contained in this Agreement without the express or prior written approval of the other party, in which approval may be withheld in the other party's sole discretion.

k. **Venue and Jurisdiction.** The parties agree that for purposes of any dispute in connection with this Agreement, the Muskegon County Circuit Court shall have exclusive personal and subject matter jurisdiction and that Muskegon County is the exclusive venue.

This Agreement is executed effective as of the Effective Date set forth above.

CITY:

DEVELOPER:

CITY OF MUSKEGON

Sjaarda Homes and Properties LLC

By: _____

Name: Ken Johnson

Title: Mayor

Dated: _____

By: _____

Name: Derek Sjaarda

Dated: _____

By: _____

Name: Ann Marie Meisch

Title: City Clerk

Dated: _____

Exhibit A

The following described premises located in the City of Muskegon, County of Muskegon, State of Michigan, and legally described as follows:

1. Legal Description: CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 4 BLK 54
Address: 499 AMITY AVE, MUSKEGON, MI 49442
Parcel #: 61-24-205-054-0004-00
Price: \$3,000.00



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Fleet Vehicle Replacements							
Submitted by: Dawson Romanosky, DPW Superintendent	Department: Public Works							
Brief Summary: Staff is requesting approval to purchase four Chevy Tahoes for the Police Department, along with one Ford F150 and four Ford F450 dump trucks for Public Works.								
Detailed Summary & Background: The Equipment Department is planning to replace several aging, out-of-warranty vehicles. As part of this effort, four Chevy Tahoes will be purchased from Berger Chevrolet to replace existing patrol vehicles in the Police Department. Berger Chevrolet quoted a price of \$53,959.00 per vehicle. One Ford F150 pickup truck will be purchased from Gorno Ford for \$48,233.00, and four Ford F450 small dump trucks will be purchased for \$73,236.00 per vehicle from multiple vendors including Gorno Ford. All vehicles will be purchased through the MiDEAL contract, a cooperative purchasing program managed by the State that secures competitively bid pricing to ensure the best value for member agencies. The total expenditure for these vehicle replacements is \$557,013, which will be funded through the Equipment Fund as part of the department's planned equipment replacement budget.								
Goal/Action Item: 2027 Goal 4: Financial Infrastructure								
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:								
Amount Requested: \$557,013	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center;">Yes</td> <td style="width: 15%; text-align: center;">X</td> <td style="width: 15%; text-align: center;">No</td> <td style="width: 15%;"></td> <td style="width: 15%; text-align: center;">N/A</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>	Yes	X	No		N/A		
Yes	X	No		N/A				
Fund(s) or Account(s): 661-563 (Equipment Fund)	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%; text-align: center;">No</td> <td style="width: 15%; text-align: center;">X</td> <td style="width: 15%; text-align: center;">N/A</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>	Yes		No	X	N/A		
Yes		No	X	N/A				
Recommended Motion: I move to authorize staff to purchase fleet replacement vehicles for a total of \$557,013 from Berger Chevrolet and Gorno Ford.								
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;">Immediate Division Head</td> <td style="width: 10%; text-align: center; padding: 5px;">X</td> <td style="width: 30%;"></td> </tr> </table>	Immediate Division Head	X		Name the Policy/Ordinance Followed: Purchasing Policy				
Immediate Division Head	X							

Information Technology			
Other Division Heads			
Communication			
Legal Review			



BID PER ENCLOSED SPECIFICATIONS

Cost per vehicle \$53,959.00

Vehicle Description:

Number of units 4

Year 2025

Make Chevrolet

\$215,836.00

Model Tahoe 4wd
police package

Vendor:

Berger Chevrolet Inc.

Bid Prepared For :

Address 2525 28th Street S.E.

City of Musegon

Grand Rapids, MI 49512

Phone (616) 575-9629

Price includes title fee and delivery. Price based on
Municipal discount in the State of Michigan.

Fax (616) 988-9178

Signature *Robert Evans*

Printed Signature Robert M. Evans

Date 7/15/2025



Preview Order F100 - W1L - 4x4 XL SuperCrew : Order Summary Time of Preview: 07/30/2025 12:34:45 Receipt: NA

Dealership Name : Gorno Bros Inc

Sales Code : F48022

Dealer Rep.	patrick southward	Type	Fleet	Vehicle Line	F-150	Order Code	F100
Customer Name	MUSKEEGAN	Priority Code	L1	Model Year	2025	Price Level	565

DESCRIPTION

F150 4X4 SUPERCREW XL - 145
145 INCH WHEELBASE
TOTAL BASE VEHICLE
OXFORD WHITE
VINYL 40/20/40 FRONT SEAT
MEDIUM DARK SLATE
EQUIPMENT GROUP 101A
.XL SERIES
.17" SILVER STEEL WHEELS
5.0L V8 ENGINE
ELEC TEN-SPEED AUTO TRANS
.265/70R 17 BSW ALL-TERRAIN
3.31 ELECTRONIC LOCK RR AXLE

DESCRIPTION

7100# GVWR PACKAGE
FORD FLEET SPECIAL ADJUSTMENT
JOB #2 ORDER
50 STATE EMISSIONS
EXTENDED RANGE 36GAL FUEL TANK
PRIVACY GLASS W/REAR DEFROSTER
BEDLINER-TOUGHBED SPRAYIN*ACCY
SPECIAL DEALER ACCOUNT ADJUSTM
SPECIAL FLEET ACCOUNT CREDIT
FUEL CHARGE
NET INVOICE FLEET OPTION (B4A)
PRICED DORA
ADVERTISING ASSESSMENT
DESTINATION & DELIVERY

TOTAL BASE AND OPTIONS
DISCOUNTS
TOTAL

MI Deal # MA240000001193

MI Deal Price Delivered \$48,233.00

This order has not been submitted to the order bank.

This is not an invoice.



Preview Order F100 - F4H 4x4 Reg Chas Cab DRW : Order Summary Time of Preview: 07/31/2025
12:29:23 Receipt: 7/31/2025

Dealership Name : Gorno Bros Inc

Sales Code : F48022

Dealer Rep.	patrick southward
Customer Name	Muskeegan

Type	Fleet
Priority Code	H2

Vehicle Line	Superduty
Model Year	2026

Order Code	F100
Price Level	625

DESCRIPTION

F450 4X4 CHASSIS CAB DRW/145
145 INCH WHEELBASE
TOTAL BASE VEHICLE
OXFORD WHITE
VINYL 40/20/40 SEATS
MEDIUM DARK SLATE
PREFERRED EQUIPMENT PKG.650A
.XL TRIM
.AIR CONDITIONING -- CFC FREE
.AM/FM STEREO MP3/CLK
.7.3L DEVCT NA PFI V8 ENGINE
10-SPEED AUTO TORQSHIFT
225/70R19.5G BSW MAX TRAC TIRE
4.88 RATIO LIMITED SLIP AXLE
FORD FLEET SPECIAL ADJUSTMENT
PLATFORM RUNNING BOARDS
16500# GVWR PACKAGE
50 STATE EMISSIONS

DESCRIPTION

120V/400W OUTLET
SNOW PLOW PREP PACKAGE
JOB #1 ORDER
TRAILER BRAKE CONTROLLER
410 AMP DUAL ALTERNATOR
DUAL BATTERY
REAR VIEW CAMERA & PREP KIT
CONN PKG: 1 YR INCL W/FORD APP
XL CHROME PACKAGE
.FOG LAMPS
.REMOTE START SYSTEM
SPECIAL DEALER ACCOUNT ADJUSTM
SPECIAL FLEET ACCOUNT CREDIT
FUEL CHARGE
NET INVOICE FLEET OPTION (B4A)
PRICED DORA
ADVERTISING ASSESSMENT
DESTINATION & DELIVERY

TOTAL BASE AND OPTIONS

DISCOUNTS

TOTAL

MI Deal # MA240000001193

MI Deal Price Delivered With Options \$73,236.00

*** Options ***

9ft Galion Steel Dump Bed
Tarp System

This order has not been submitted to the order bank.

This is not an invoice.



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Update to City Manager's Contract - Vacation															
Submitted by: Jonathan Seyferth, City Manager, John Schrier, City Attorney	Department: Manager's Office															
Brief Summary: In June 2025, the City Manager received their annual review. The review was favorable. The manager requested an increase in vacation time as a result of the favorable review.																
Detailed Summary & Background:																
<u>Goal/Action Item:</u>																
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																
Amount Requested: n/a	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"></td> <td style="width: 25%;">No</td> <td style="width: 25%;"></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> <td style="width: 25%;"></td> </tr> </table>	Yes		No		N/A	X									
Yes		No		N/A	X											
Fund(s) or Account(s): n/a	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"></td> <td style="width: 25%;">No</td> <td style="width: 25%;"></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">X</td> <td style="width: 25%;"></td> </tr> </table>	Yes		No		N/A	X									
Yes		No		N/A	X											
Recommended Motion: Approve the Third Amendment To the City Manager's Employment Agreement																
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td style="text-align: center;">X</td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review	X		<u>Name the Policy/Ordinance Followed:</u>
Immediate Division Head																
Information Technology																
Other Division Heads																
Communication																
Legal Review	X															

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This Third Amendment between City of Muskegon (“City”), 933 Terrace St, Muskegon, Michigan 49440 and Jonathan Seyferth (“Seyferth”), 933 Terrace St, Muskegon, Michigan 49440, has been entered into pursuant to the following terms:

Recitals

A. City and Seyferth entered into an Employment Agreement effective November 28, 2022, a First Amendment effective December 12, 2023, and a Second Amendment effective October 29, 2024.

B. City and Seyferth seek to make one additional Amendment to that Employment Agreement.

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. City will credit twenty hours to MANAGER’S vacation bank effective July 1, 2025. City will credit two hundred and forty (240) hours to MANAGER’S vacation bank effective on the first of each year, commencing on January 1, 2026. One hundred and sixty (160) hours can be carried over from one (1) calendar year to the next, with any balance being converted to Sick Leave.

As to all other respects, the Employment Agreement, as amended, shall continue in force as if restated herein.

CITY OF MUSKEGON

Dated: _____, 202 ____

By: _____

Name: Ken Johnson, Its Mayor

Dated: _____, 202 ____

By: _____

Name: Ann Marie Meisch, Its Clerk

Dated: _____, 202 ____

By: _____

Name: Jonathan Seyferth, Its Manager



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Request to Create a new Neighborhood Enterprise Zone District at 535 Yuba						
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development						
Brief Summary: City staff is requesting approval to create a Neighborhood Enterprise Zone (NEZ) District at 535 Yuba Street. This designation would make the property eligible for reduced residential property taxes on new construction.							
Detailed Summary & Background: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, City staff is requesting the establishment of a Neighborhood Enterprise Zone (NEZ) District for the parcel located at 535 Yuba Street. Properties located within an NEZ District are eligible to apply for NEZ certificates, which provide a reduction in residential property taxes for newly constructed homes. Notice letters regarding the proposed district were sent to all affected taxing jurisdictions on June 10, 2025, and a public hearing was held on July 8, 2025. In accordance with state law, the resolution establishing the district may not be adopted until at least 60 days after the notice letters were issued.							
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development							
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:							
Amount Requested: N/A	Budgeted Item: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Recommended Motion: I move to approve the creation of a Neighborhood Enterprise Zone District at 535 Yuba and authorize the Mayor and City Clerk to sign the resolution.							
Approvals:	Name the Policy/Ordinance Followed:						

Immediate Division Head			Public Act 147 of the Michigan Public Acts of 1992
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on June 10, 2025, and;

WHEREAS, a public hearing was held regarding the creation of this new district July 8, 2025; and

WHEREAS, the new district boundaries will include the property known as 535 Yuba (535 Yuba St, property #61-24-205-155-0007-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 12 day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

Attachment A





Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Request to Create a new Neighborhood Enterprise Zone District at 2127 Austin						
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development						
Brief Summary: City staff is requesting approval to create a Neighborhood Enterprise Zone (NEZ) District at 2127 Austin. This designation would make the property eligible for reduced residential property taxes on new construction.							
Detailed Summary & Background: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, City staff is requesting the establishment of a Neighborhood Enterprise Zone (NEZ) District for the parcel located at 2127 Austin. Properties located within an NEZ District are eligible to apply for NEZ certificates, which provide a reduction in residential property taxes for newly constructed homes. Notice letters regarding the proposed district were sent to all affected taxing jurisdictions on June 10, 2025, and a public hearing was held on July 8, 2025. In accordance with state law, the resolution establishing the district may not be adopted until at least 60 days after the notice letters were issued.							
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development							
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:							
Amount Requested: N/A	Budgeted Item: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td>☒</td> </tr> </table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td>☒</td> </tr> </table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Recommended Motion: I move to approve the creation of a Neighborhood Enterprise Zone District at 2127 Austin and authorize the Mayor and City Clerk to sign the resolution.							
Approvals:	Name the Policy/Ordinance Followed: Public Act 147 of the Michigan Public Acts of						

Immediate Division Head			1992
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on June 10, 2025, and;

WHEREAS, a public hearing was held regarding the creation of this new district July 8, 2025; and

WHEREAS, the new district boundaries will include the property known as 2127 Austin (2127 Austin St, property #61-24-860-000-0117-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 12 day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

Attachment A

125	-0061-00	42	125	-0120-00	42
47	-0062-00	40		-0119-00	
50	-0064-00			-0118-00	40
				-0117-00	
50	-0065-00	42		-0116-00	42
50	-0067-00	42		-0115-00	42
50	-0068-00	100		-0113-00	100
50	-0070-00	60		-0111-00	60
50	-0071-00	60		-0110-00	60
40	-0072-00			-0108-00	60
40	-0073-00			-0107-00	60
125	-0074-00	44.51		-0106-00	44.51
125		125			125

AUSTIN



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Request to Create a new Neighborhood Enterprise Zone District at 2262 Austin						
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development						
Brief Summary: City staff is requesting approval to create a Neighborhood Enterprise Zone (NEZ) District at 2262 Austin. This designation would make the property eligible for reduced residential property taxes on new construction.							
Detailed Summary & Background: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, City staff is requesting the establishment of a Neighborhood Enterprise Zone (NEZ) District for the parcel located at 2262 Austin. Properties located within an NEZ District are eligible to apply for NEZ certificates, which provide a reduction in residential property taxes for newly constructed homes. Notice letters regarding the proposed district were sent to all affected taxing jurisdictions on June 10, 2025, and a public hearing was held on July 8, 2025. In accordance with state law, the resolution establishing the district may not be adopted until at least 60 days after the notice letters were issued.							
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development							
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:							
Amount Requested: N/A	Budgeted Item: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Recommended Motion: I move to approve the creation of a Neighborhood Enterprise Zone District at 2262 Austin and authorize the Mayor and City Clerk to sign the resolution.							
Approvals:	Name the Policy/Ordinance Followed: Public Act 147 of the Michigan Public Acts of						

Immediate Division Head			1992
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on June 10, 2025, and;

WHEREAS, a public hearing was held regarding the creation of this new district July 8, 2025; and

WHEREAS, the new district boundaries will include the property known as 2262 Austin (2262 Austin St, property #61-24-860-000-0145-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 12 day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

Attachment A

AUSTIN		VALLEY	
125	-0136-00	125	-0165-00
51.43	-0137-00	50.8	-0164-00
	-0138-00	51.14	-0163-00
51.40	-0140-00		-0161-00
		51.14	-0160-00
102.86	-0142-00		-0159-00
51.46	-0144-00	51.14	-0157-00
51.43	-0145-00		-0156-00
40	-0146-00	51.14	-0155-00
51.2	-0147-00		-0154-00
54.2	-0149-00	51.14	-0152-00
54.2	-0150-00	51.13	-0151-00
125		125	
BARNEY			



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Request to Create a new Neighborhood Enterprise Zone District at 2155 Continental						
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development						
Brief Summary: City staff is requesting approval to create a Neighborhood Enterprise Zone (NEZ) District at 2155 Continental. This designation would make the property eligible for reduced residential property taxes on new construction.							
Detailed Summary & Background: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, City staff is requesting the establishment of a Neighborhood Enterprise Zone (NEZ) District for the parcel located at 2155 Continental. Properties located within an NEZ District are eligible to apply for NEZ certificates, which provide a reduction in residential property taxes for newly constructed homes. Notice letters regarding the proposed district were sent to all affected taxing jurisdictions on June 10, 2025, and a public hearing was held on July 8, 2025. In accordance with state law, the resolution establishing the district may not be adopted until at least 60 days after the notice letters were issued.							
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development							
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:							
Amount Requested: N/A	Budgeted Item: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td>☒</td> </tr> </table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td>☒</td> </tr> </table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Recommended Motion: I move to approve the creation of a Neighborhood Enterprise Zone District at 2155 Continental and authorize the Mayor and City Clerk to sign the resolution.							
Approvals:	Name the Policy/Ordinance Followed:						

Immediate Division Head			Public Act 147 of the Michigan Public Acts of 1992
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on June 10, 2025, and;

WHEREAS, a public hearing was held regarding the creation of this new district July 8, 2025; and

WHEREAS, the new district boundaries will include the property known as 2155 Continental (2155 Continental St, property #61-24-860-000-0052-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 12 day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

Attachment A

GETTY		129.74	-0001-00		125	-0060-00	50
		129.65					
			-0002-00			-0059-00	50.00
		129.41				-0057-00	50.00
			-0004-00	120		-0056-00	50.00
						-0054-00	50
						-0053-00	50
			-0007-00	102		-0052-00	50
						-0050-00	74
			-0012-00	48		-0048-00	60
		125.42				-0047-00	40
			-0013-00	8		-0046-00	40.10
		125.20	-0015-00	42.02	125		
		1250.6					
HACKLEY							
CONTINENTAL							



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Request to Create a new Neighborhood Enterprise Zone District at 2209 Valley						
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development						
Brief Summary: City staff is requesting approval to create a Neighborhood Enterprise Zone (NEZ) District at 2209 Valley. This designation would make the property eligible for reduced residential property taxes on new construction.							
Detailed Summary & Background: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, City staff is requesting the establishment of a Neighborhood Enterprise Zone (NEZ) District for the parcel located at 2209 Valley St. Properties located within an NEZ District are eligible to apply for NEZ certificates, which provide a reduction in residential property taxes for newly constructed homes. Notice letters regarding the proposed district were sent to all affected taxing jurisdictions on June 10, 2025, and a public hearing was held on July 8, 2025. In accordance with state law, the resolution establishing the district may not be adopted until at least 60 days after the notice letters were issued.							
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development							
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:							
Amount Requested: N/A	Budgeted Item: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1"><tr><td>Yes</td><td></td><td>No</td><td></td><td>N/A</td><td>☒</td></tr></table>	Yes		No		N/A	☒
Yes		No		N/A	☒		
Recommended Motion: I move to approve the creation of a Neighborhood Enterprise Zone District at 2209 Valley St. and authorize the Mayor and City Clerk to sign the resolution.							
Approvals:	Name the Policy/Ordinance Followed:						

Immediate Division Head			Public Act 147 of the Michigan Public Acts of 1992
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on June 10, 2025, and;

WHEREAS, a public hearing was held regarding the creation of this new district July 8, 2025; and

WHEREAS, the new district boundaries will include the property known as 2209 Valley (2209 Valley St., property #61-24-860-000-0165-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 12 day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

Attachment A





Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Request to Create a new Neighborhood Enterprise Zone District South Getty				
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development				
Brief Summary: City staff is requesting approval to create a Neighborhood Enterprise Zone (NEZ) District at 1920 S. Getty, 1930 S. Getty, 1940 S. Getty, 1950 S. Getty, & 1960 S. Getty. This designation would make the properties eligible for reduced residential property taxes on new construction.					
Detailed Summary & Background: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, City staff is requesting the establishment of a Neighborhood Enterprise Zone (NEZ) District for the parcels located at 1920 S. Getty, 1930 S. Getty, 1940 S. Getty, 1950 S. Getty, & 1960 S. Getty Properties located within an NEZ District are eligible to apply for NEZ certificates, which provide a reduction in residential property taxes for newly constructed homes. Notice letters regarding the proposed district were sent to all affected taxing jurisdictions on June 10, 2025, and a public hearing was held on July 8, 2025. In accordance with state law, the resolution establishing the district may not be adopted until at least 60 days after the notice letters were issued.					
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development					
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:					
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"> ☒ </td> </tr> </table>	Yes	No	N/A	☒
Yes	No	N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"> ☒ </td> </tr> </table>	Yes	No	N/A	☒
Yes	No	N/A	☒		
Recommended Motion: I move to approve the creation of the South Getty Neighborhood Enterprise Zone District and authorize the Mayor and City Clerk to sign the resolution.					
Approvals:	Name the Policy/Ordinance Followed:				

Immediate Division Head			Public Act 147 of the Michigan Public Acts of 1992
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRISE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on June 10, 2025, and;

WHEREAS, a public hearing was held regarding the creation of this new district July 8, 2025; and

WHEREAS, the new district boundaries will include the following properties known as “South Getty”:

- 1920 S. Getty St. property (61-24-215-007-0002-00)
- 1930 S. Getty St. property (61-24-215-007-0003-00)
- 1940 S. Getty St. property (61-24-215-007-0004-00)
- 1950 S. Getty St. property (61-24-215-007-0005-00)
- 1960 S. Getty St. property (61-24-215-007-0006-00)

as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 12 day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

Attachment A





Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Request to Create a new Neighborhood Enterprise Zone District at 2247 Valley				
Submitted by: Jocelyn Hines, Development Analyst	Department: Economic Development				
Brief Summary: City staff is requesting approval to create a Neighborhood Enterprise Zone (NEZ) District at 2247 Valley. This designation would make the property eligible for reduced residential property taxes on new construction.					
Detailed Summary & Background: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, City staff is requesting the establishment of a Neighborhood Enterprise Zone (NEZ) District for the parcel located at 2247 Valley St. Properties located within an NEZ District are eligible to apply for NEZ certificates, which provide a reduction in residential property taxes for newly constructed homes. Notice letters regarding the proposed district were sent to all affected taxing jurisdictions on June 10, 2025, and a public hearing was held on July 8, 2025. In accordance with state law, the resolution establishing the district may not be adopted until at least 60 days after the notice letters were issued.					
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development					
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:					
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"> ☒ </td> </tr> </table>	Yes	No	N/A	☒
Yes	No	N/A	☒		
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">Yes</td> <td style="width: 25%; text-align: center;">No</td> <td style="width: 25%; text-align: center;">N/A</td> <td style="width: 25%; text-align: center;"> ☒ </td> </tr> </table>	Yes	No	N/A	☒
Yes	No	N/A	☒		
Recommended Motion: I move to approve the creation of a Neighborhood Enterprise Zone District at 2247 Valley St. and authorize the Mayor and City Clerk to sign the resolution.					
Approvals:	Name the Policy/Ordinance Followed:				

Immediate Division Head			Public Act 147 of the Michigan Public Acts of 1992
Information Technology			
Other Division Heads			
Communication			
Legal Review			

Resolution No. _____

MUSKEGON CITY COMMISSION

**RESOLUTION TO CREATE A NEW NEIGHBORHOOD ENTERPRIZE ZONE
DISTRICT WITHIN THE CITY OF MUSKEGON**

WHEREAS, the City of Muskegon currently has established Neighborhood Enterprise Zone districts within the City, and;

WHEREAS, the City of Muskegon would like to create a new Neighborhood Enterprise Zone district to a new location within the City, and;

WHEREAS, notices were sent to the local taxing jurisdictions on June 10, 2025, and;

WHEREAS, a public hearing was held regarding the creation of this new district July 8, 2025; and

WHEREAS, the new district boundaries will include the property known as 2247 Valley (2247 Valley St., property #61-24-860-000-0159-00),” as shown in Attachment A, and;

WHEREAS, the total square footage of Neighborhood Enterprise Zone districts in Muskegon will not exceed 15% of the total square footage of the City;

NOW, THEREFORE, BE IT RESOLVED that the new Neighborhood Enterprise Zone district in the City of Muskegon have been approved.

Adopted this 12 day of August, 2025.

Ayes:

Nays:

Absent:

By: _____
Ken Johnson, Mayor

Attest: _____
Ann Meisch
City Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on August 12, 2025.

By: _____
Ann Meisch
City Clerk

Attachment A

AUSTIN	51.43	2216	-0137-00	2215	-0164-00	50.89	VALLEY
		2224	-0138-00	2223	-0163-00	51.14	
	51.43	2232	-0140-00	2233	-0161-00		
		2248	-0142-00	2239	-0160-00	51.14	
	102.85		-0142-00	2247	0159-00		
	51.43	2256	-0144-00	2255	-0157-00	51.14	
	51.43	2262	-0145-00	2263	-0156-00		
	40	2270	-0146-00	2269	-0155-00	51.14	
	54.2	2278	-0147-00	2277	-0154-00		
	54.2	2284	-0149-00	2285	-0152-00	51.14	
	54.2	2294	-0150-00	2295	-0151-00	51.13	
			128			128	
BARNEY							



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Driveway Easement to Benefit 1188 Lakeshore Dr							
Submitted by: Dan VanderHeide, Public Works Director	Department: Public Works							
Brief Summary: Staff presents a driveway easement benefitting 1188 Lakeshore Dr across the Lakeshore Trail and adjacent former railroad right-of-way.								
Detailed Summary & Background: A resident of the City is proposing to build a home at 1188 Lakeshore Drive, and prior to closing on the property their lender has requested a driveway easement from the City allowing the owner of the property to cross the City's Lakeshore Trail property as well as the adjacent former railroad right-of-way the City now owns. Staff have worked with the resident to address concerns regarding sight distance at the trail crossing, and recommend approval of the easement.								
Goal/Action Item: 2027 Goal 2: Economic Development Housing and Business - Improved community vibrancy through infill development								
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:								
Amount Requested: N/A	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"></td> <td style="width: 25%;">No</td> <td style="width: 25%;"></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">x</td> <td style="width: 25%;"></td> </tr> </table>	Yes		No		N/A	x	
Yes		No		N/A	x			
Fund(s) or Account(s): N/A	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Yes</td> <td style="width: 25%;"></td> <td style="width: 25%;">No</td> <td style="width: 25%;"></td> <td style="width: 25%;">N/A</td> <td style="width: 25%;">x</td> <td style="width: 25%;"></td> </tr> </table>	Yes		No		N/A	x	
Yes		No		N/A	x			
Recommended Motion: I move approval of a driveway easement benefitting 1188 Lakeshore Dr across the Lakeshore Trail and adjacent former railroad right-of-way.								
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%; text-align: center;">X</td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> </table>	Immediate Division Head	X		Information Technology			<u>Name the Policy/Ordinance Followed:</u>	
Immediate Division Head	X							
Information Technology								

Other Division Heads			
Communication			
Legal Review	X		

NOTE:

Attachment A

CONCRETE BASE OF THE NOTED LIGHT POLES ARE 1.1 FEET NORTH OF PROPERTY LINE.

THE BACK OF THE CONCRETE CURB, FOR THE PARKING AREA, IS 3.1 FEET SOUTH OF LINE.

DESCRIPTION: (PER TAX DESCRIPTION)
PARCEL #61-24-205-580-0001-00

THAT PART OF BLOCK 580 OF THE REVISED PLAT OF (1903) OF THE CITY OF MUSKEGON ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 3 OF PLATS, PAGE 71, DESCRIBED AS: COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID BLOCK 580; THENCE SOUTH 40 DEGREES 26 MINUTES EAST 33.76 FEET ALONG THE EXTENDED SOUTHWESTERLY LINE OF SAID BLOCK 580; THENCE NORTH 37 DEGREES 23 MINUTES EAST 997.56 FEET; THENCE NORTH 32 DEGREES 28 MINUTES WEST 236.30 FEET ALONG THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 200 FEET OF SAID BLOCK 580 TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 57 DEGREES 32 MINUTES WEST 91.93 FEET; THENCE NORTH 80 DEGREES 40 MINUTES WEST 240.0 FEET TO REFERENCE POINT "B"; THENCE NORTH 80 DEGREES 44 MINUTES WEST 45 FEET MORE OR LESS TO THE WATER'S EDGE OF MUSKEGON LAKE; THENCE NORTHERLY 550 FEET MORE OR LESS ALONG SAID WATER'S EDGE TO ITS INTERSECTION WITH A LINE WHICH BEARS NORTH 32 DEGREES 28 MINUTES WEST FROM REFERENCE POINT "B"; (REFERENCE POINT "C" BEING LOCATED AS FOLLOWS: BEGINNING AT ABOVE DESCRIBED REFERENCE POINT "B"; THENCE NORTH 82 DEGREES 43 MINUTES EAST 22.14 FEET; THENCE NORTH 19 DEGREES 43 MINUTES EAST 171.33 FEET; THENCE NORTH 10 DEGREES 25 MINUTES WEST 299.77 FEET; THENCE NORTH 57 DEGREES 32 MINUTES EAST 3.11 FEET TO REFERENCE POINT "C"); THENCE SOUTH 32 DEGREES 28 MINUTES EAST 46 FEET MORE OR LESS TO REFERENCE POINT "C"; THENCE SOUTH 32 DEGREES 28 MINUTES EAST 533.23 FEET ALONG THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 200 FEET OF SAID BLOCK 580 TO THE PLACE OF BEGINNING.

ALSO EXCEPT;

THAT PART OF BLOCK 580 OF THE REVISED PLAT OF (1903) OF THE CITY OF MUSKEGON, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 3, PAGE 71, MUSKEGON COUNTY RECORDS, DESCRIBED AS BEGINNING AT THE MOST EASTERLY CORNER OF LAKESHORE YACHT HARBOUR, A MARINA CONDOMINIUM AS RECORDED IN LIBER 1290, PAGE 64 AS AMENDED, MUSKEGON COUNTY RECORDS; THENCE NORTH 32 DEGREES 28 MINUTES EAST 236.30 FEET ALONG THE NORTHEASTERLY LINE OF LAKESHORE YACHT HARBOUR TO THE TRUE PLACE OF BEGINNING; THENCE SOUTH 57 DEGREES 32 MINUTES WEST ALONG THE NORTHERLY LINE OF SAID LAKESHORE YACHT HARBOUR, 16.00 FEET; THENCE NORTH 32 DEGREES 28 MINUTES WEST 241.81 FEET BEING PARALLEL WITH AND 16.00 FEET SOUTHWESTERLY (MEASURED PERPENDICULAR TO) OF THE SOUTHWESTERLY LINE OF THE NORTHEASTERLY 200.00 FEET OF SAID BLOCK 580; THENCE NORTH 21 DEGREES 47 MINUTES 54 SECONDS WEST 86.43 FEET; THENCE SOUTH 32 DEGREES 28 MINUTES EAST ALONG SAID SOUTHWESTERLY LINE, 326.72 FEET TO THE POINT OF BEGINNING.

PROPOSED ACCESS EASEMENT OVER CITY PROPERTY:

AN ACCESS EASEMENT BEING PART OF BLOCK 580 OF THE REVISED PLAT OF (1903) OF THE CITY OF MUSKEGON ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 3 OF PLATS, PAGE 71, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY CORNER OF LAKESHORE YACHT HARBOUR CONDOMINIUM AS RECORDED IN LIBER 1290, PAGE 64, THENCE SOUTH 37 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 17.04 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 15 DEGREES 51 MINUTES 51 SECONDS EAST, A DISTANCE OF 3.54 FEET;
THENCE SOUTH 07 DEGREES 02 MINUTES 57 SECONDS EAST, A DISTANCE OF 18.74 FEET;
THENCE SOUTH 41 DEGREES 54 MINUTES 35 SECONDS WEST, A DISTANCE OF 70.69 FEET;
THENCE NORTH 32 DEGREES 28 MINUTES 03 SECONDS WEST, A DISTANCE OF 11.06 FEET;
THENCE NORTH 37 DEGREES 23 MINUTES 00 SECONDS EAST, A DISTANCE OF 82.16 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.02 ACRES, MORE OR LESS.

PROPOSED ACCESS EASEMENT OVER LAKESHORE YACHT HARBOUR PROPERTY:

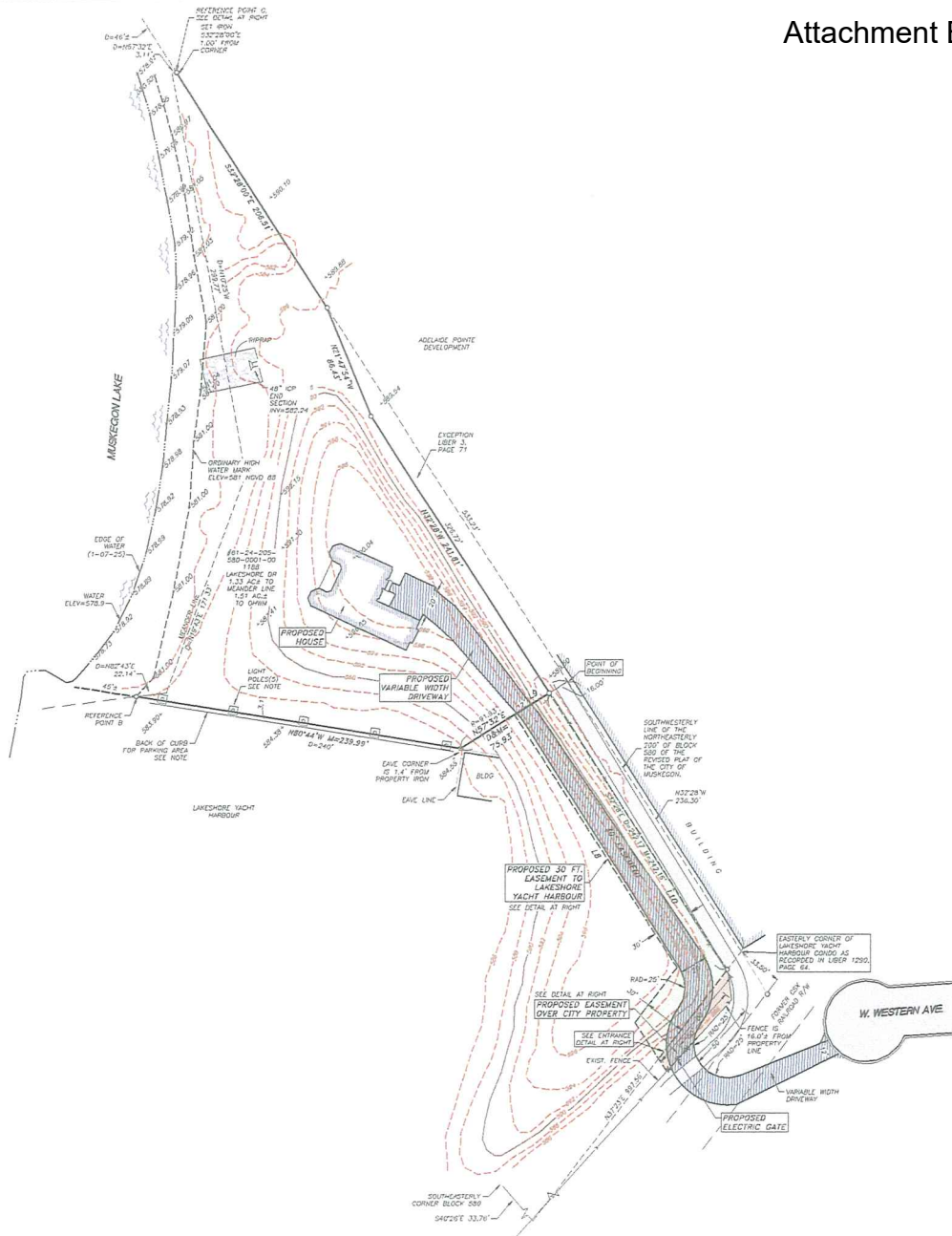
A PROPOSED ACCESS EASEMENT OVER LAKESHORE YACHT HARBOUR CONDOMINIUM PROPERTY BEING PART OF BLOCK 580 OF THE REVISED PLAT OF (1903) OF THE CITY OF MUSKEGON ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 3 OF PLATS, PAGE 71, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY CORNER OF LAKESHORE YACHT HARBOUR CONDOMINIUM AS RECORDED IN LIBER 1290, PAGE 64, THENCE SOUTH 37 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 17.04 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 37 DEGREES 23 MINUTES 00 SECONDS WEST, A DISTANCE OF 82.16 FEET;
THENCE NORTH 32 DEGREES 28 MINUTES 03 SECONDS WEST, A DISTANCE OF 31.96 FEET;
THENCE NORTH 37 DEGREES 23 MINUTES 00 SECONDS EAST, A DISTANCE OF 50.20 FEET;
THENCE NORTH 32 DEGREES 28 MINUTES 03 SECONDS WEST, A DISTANCE OF 221.22 FEET;
THENCE NORTH 57 DEGREES 31 MINUTES 58 SECONDS EAST, A DISTANCE OF 30.00 FEET;
THENCE SOUTH 32 DEGREES 28 MINUTES 03 SECONDS EAST, A DISTANCE OF 242.17 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.21 ACRES, MORE OR LESS.

Attachment B



INSURANCE

CONCRETE BASE OF THE NOTED LIGHT POLES ARE 1.1 FEET NORTH OF PROPERTY LINE.

THE BACK OF THE CONCRETE CURB, FOR THE PARKING AREA, IS 3.1 FEET SOUTH OF LINE.

DESCRIPTION: (PER TAX DESCRIPTION
SACCT: 461-24-708-582-0001-0)

724521 907-24-226-580-0001-00

[illegible]

ALSO EXCERPT:
THAT PART OF BLOCK 560 OF THE REVISED PLAN OF (1903) OF THE CITY OF MUSKOGEE, ACCORDING TO THE
RECORDS KEPT BY THE CITY OF MUSKOGEE, BEGINS AS FOLLOWS: BEGINNING AT THE CORNER OF THE
AT THE MOST EASTERLY CORNER OF LAWSONS YACHT HARBOR, A MARINA CONDOMINIUM AS RECORDED IN
LIBER 1296 PAGE 44 AS MENUED, MUSKOGEE COUNTY RECORDS, THENCE SOUTH 12 DEGREES 32 MINUTES
WEST 16.00 FEET SOUTHWESTERLY (MEASURED PERPENDICULAR TO THE) TO THE POINT OF BEGINNING,
BEGINNING THENCE SOUTH 87 DEGREES 33 MINUTES WEST ALONG THE NORTHERLY LINE OF SAID LAKE SHORE
TO THE POINT OF BEGINNING, THENCE SOUTH 16 DEGREES 10 MINUTES WEST ALONG SAID LAKE SHORE
WITH AND 16.00 FEET SOUTHWESTERLY (MEASURED PERPENDICULAR TO) OF THE SOUTHWESTERLY LINE OF
THE NORTHEASTERN 200.00 FEET OF SAID BLOCK 580; THENCE NORTH 21 DEGREES 47 MINUTES 54 SECONDS
WEST 132.72 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 12 DEGREES 32 MINUTES EAST ALONG SAID SOUTHWESTERLY LINE 336.72
FEET TO THE POINT OF BEGINNING.

PROPOSED ACCESS EASEMENT OVER CITY PROPERTY:

AN ACCESS EASEMENT BEING PART OF BLOCK 500 OF THE REVISED PLAT OF (1903) OF THE CITY OF MUSKOGEE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 3 OF PLATS, PAGE 71, DESCRIBED AS FOLLOWS:
COMMENCING AT THE EASTERLY CORNER OF LAKESHORE YACHT HARBOUR CONDOMINIUM AS RECORDED IN LIBER 1290, PAGE 64, THENCE SOUTH 37 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 17.04 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 15 DEGREES 51 MINUTES 51 SECONDS EAST, A DISTANCE OF 3.54 FEET;
THENCE SOUTH 07 DEGREES 02 MINUTES 57 SECONDS EAST, A DISTANCE OF 18.74 FEET;
THENCE SOUTH 41 DEGREES 54 MINUTES 35 SECONDS WEST, A DISTANCE OF 70.69 FEET;
THENCE NORTH 32 DEGREES 28 MINUTES 03 SECONDS WEST, A DISTANCE OF 11.06 FEET;
THENCE NORTH 37 DEGREES 23 MINUTES 00 SECONDS EAST, A DISTANCE OF 82.16 FEET TO THE POINT OF
BEGINNING.

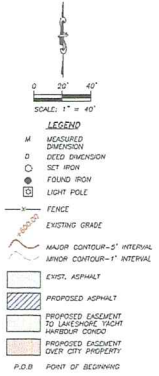
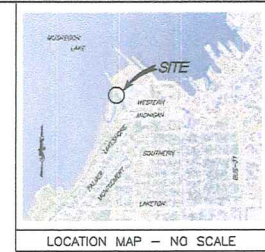
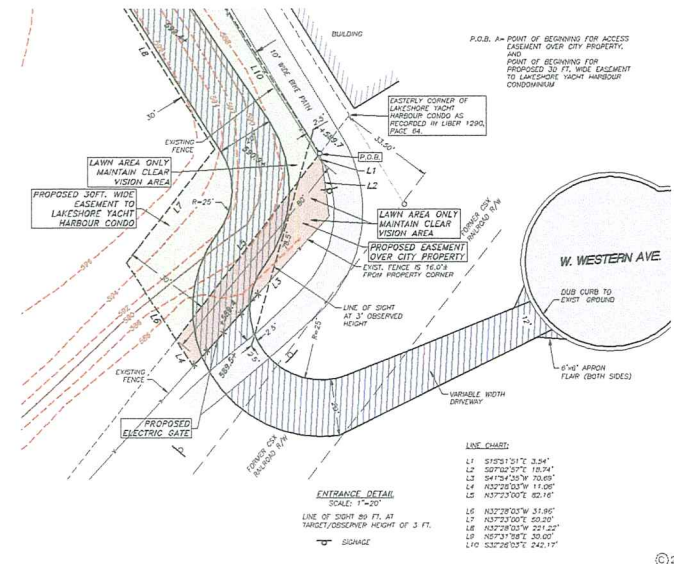
SAID PARCEL CONTAINS 0.02 ACRES, MORE OR LESS

PROPOSED ACCESS EASEMENT OVER LAKESHORE YACHT HARBOUR PROPERTY

A PROPOSED ACCESS EASEMENT OVER LAKESHORE YACHT HARBOUR CONDOMINIUM PROPERTY BEING PART OF BLOCK 580 OF THE REVISED PLAT OF (1903) OF THE CITY OF MUSKOGEE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 3 OF PLATS, PAGE 71, DESCRIBED AS FOLLOWS:
COMMENCING AT THE EASTERLY CORNER OF LAKESHORE YACHT HARBOUR CONDOMINIUM AS RECORDED IN LIBER 1290, PAGE 64, THENCE SOUTH 37 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 17.04 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 37 DEGREES 23 MINUTES 00 SECONDS WEST, A DISTANCE OF 62.16 FEET;
THENCE NORTH 33 DEGREES 28 MINUTES 03 SECONDS WEST, A DISTANCE OF 31.96 FEET;
THENCE NORTH 37 DEGREES 23 MINUTES 00 SECONDS EAST, A DISTANCE OF 50.20 FEET;
THENCE NORTH 33 DEGREES 28 MINUTES 03 SECONDS WEST, A DISTANCE OF 721.22 FEET;
THENCE NORTH 57 DEGREES 31 MINUTES 58 SECONDS EAST, A DISTANCE OF 30.00 FEET;
THENCE SOUTH 32 DEGREES 28 MINUTES 03 SECONDS EAST, A DISTANCE OF 242.17 FEET TO THE POINT OF
BEGINNING.

SAID PARCEL CONTAINS 0.21 ACRES, MORE OR LESS

[illegible]

GRANT OF DRIVEWAY EASEMENT

This agreement (the "Agreement") is entered into on this _____, **2025**, between **City of Muskegon**, of 933 Terrace St, Muskegon, MI 49440 (the "Grantor"), and **Gabriel Wilhelm and _____**, of _____ (the "Grantee"), on the following terms and conditions.

1. **Purpose.** Grantor and Grantee own adjacent parcels of land. Grantee wishes to purchase an easement from Grantor across Grantor's land for purposes of ingress and egress from a public road, Western Avenue, to Grantee's land, which will burden Grantor's parcel for the benefit of Grantee's adjacent parcel.
2. **Property.** Grantor owns land in City of Muskegon, Michigan, described on the attached Exhibit A (the "Burdened Property"). Grantee owns land in the City of Muskegon, Michigan described on the attached Exhibit B (the "Benefited Property").
3. **Consideration.** Grantee, in consideration of the grant of the easement stated in this Agreement agrees to pay Grantor **\$[amount]** payable at the time of the signing of this Agreement.
4. **Description of the Easement.** Grantor grants to Grantee a non-exclusive right, privilege, and perpetual easement for ingress and egress across the Burdened Property for residential pedestrian and vehicular use as depicted on the attached Exhibit B (the "Easement"). This Easement permits pedestrian and vehicular traffic for the purposes of accessing, entering, exiting, and traveling to and from the

Benefited Property and the nearest public road, W. Western, situated east of the Burdened Property.

5. **Condition and maintenance.** Grantee shall be solely responsible for maintaining the Easement and shall not allow it to become unsightly or a nuisance and so as to afford continuous access and safe and unimpeded passage of vehicular and pedestrian traffic on, over and across the Burdened Property. Any ruts shall be promptly filled. The driveway shall be used only for access by residential traffic to and from a single-family residence located on the Benefited Property. The use must be for residential traffic only. Any damage caused to the Burdened Property by the acts or neglects of the Grantee, or by the Grantee's agents, lessees, employees, contractors, or subcontractors shall be repaired or replaced solely by Grantee, at its sole cost and expense. Further, Grantee shall, at its expense, maintain in good order, condition and repair all areas, buildings, improvements, and other structures located on the Benefited Property.
6. **Covenants.** As a condition to entering into this Agreement, the parties agree that the following restrictions shall apply to the Benefited Property:
 - a. No structure other than a single-family residence and permitted accessory structures, as allowed by the local zoning ordinance, shall be constructed or placed on the Benefited Property without the prior written consent of Grantor.
 - b. The Benefited Property shall not be split or subdivided without the prior written consent of Grantor. If the Benefited Property is subdivided, this Agreement may be assigned for the use of only one other single-family residential parcel.
 - c. No trees shall be removed, nor shall any structure be built or located within twenty (20) feet of the Burdened Property, except to the extent reasonably necessary for the construction of a driveway to access the Benefited Property in the least invasive manner possible.
7. **Interest in realty.** The Easement is for the use and benefit of the Benefited Property and is to be an appurtenance to the Benefited Property and run with the land.
8. **Insurance.** The owner of the Benefited Property shall obtain liability insurance as part of its owner's policy for the Benefited Property to cover any liabilities that arise as a result of the use by the owner of the Benefited Property of the Easement and the owner of the Benefited Property's liability policy shall name the owner of the

Burdened Property as an insured party for the owner of the Benefited Property's use of the Easement.

9. **Indemnification.** Grantee agrees to defend, indemnify, and save harmless Grantor from and against any and all liability or claim thereof (including, but not limited to, reasonable attorney fees and costs), whether for injury to persons, including death, or damage to property, which may be imposed upon, incurred by or asserted against Grantor (i) arising in connection with or as a direct or indirect result of any activity by Grantee, its employees, agents, lessees, contractors, or subcontractors in, on or about the Grantor Property during the term of this Agreement; or (ii) arising out of any negligent act or omission to act by Grantee, its agents, employees, lessees, or contractors, or subcontractors during the term of this Agreement.
10. **Recording.** The parties shall record this Agreement with the Muskegon County Register of Deeds.
11. **No Waiver of Default.** No waiver of any default by any party shall be implied from an omission by another party to take any action in respect to a default if such default continues or is repeated. One or more waivers of any default in the performance of any term, provision or covenant of this Agreement shall not be deemed to be a waiver of any subsequent default of same. The rights and remedies given to any party to this Agreement shall be deemed to be cumulative and no one of such rights and remedies shall be exclusive of any of the others, or of any other right or remedy at law or in equity which any such party might otherwise have by virtue of a default under this Agreement, and the exercise of one such right or remedy by any such party shall not impair such party's standing to exercise any other right or remedy.
12. **No Gift or Dedication.** Nothing contained in this Agreement shall be deemed to be a gift or dedication of any portion of the Burdened Property to the general public or for any public purposes whatsoever, it being the intention that the easements created herein shall be strictly limited to and for the purposes expressed in this Agreement.
13. **Amendments.** This Agreement may not be amended, modified, rescinded, limited, or changed except by written agreement signed by the parties (or their successors and assigns).
14. **Entire agreement.** This Agreement and all exhibits constitute the entire agreement between the parties regarding the subject matter of this Agreement, and all prior negotiations and agreements regarding the Easement between the parties, whether written or oral, shall be of no further force and effect. This Agreement may not be modified except by a written document signed by both parties.

15. **Notice.** Except as otherwise provided, all notices required under this Agreement shall be effective only if in writing or in a form of electronic or facsimile transmission that provides evidence of receipt and shall be either personally served, electronically transmitted, or sent with postage prepaid to the appropriate party at its address as set forth in the introductory paragraph of this Agreement. Either party may change its address by giving notice of the change or a new facsimile transmission number to the other as provided in this section.
16. **Severability.** If any term, covenant, or condition of this Agreement or the application of which to any party or circumstance shall be to any extent invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant, or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall be effective, and each term, covenant, or condition of this Agreement shall be valid and enforced to the fullest extent permitted by law.
17. **Counterparts.** This Agreement may be executed in one or more counterparts, and by separate counterpart signature pages, each of which shall be deemed to be an original. Facsimile or pdf signatures shall be acceptable.
18. **Jurisdiction and venue.** Any disputes under this conveyance shall be subject to the laws of the state of Michigan and venue for any disputes shall lie in Muskegon County, Michigan.
19. **Time is of the essence.** Time shall be of the essence in the performance and actions undertaken under this Agreement.
20. **Exhibits.** The following exhibits are attached to and are a part of this Agreement:
- a. Exhibit A—Legal descriptions of the Benefited Property and the Burdened Property
 - b. Exhibit B—Drawing and description of the Easement
21. **Effective date.** Owner and Grantee have signed this Agreement, and it shall be effective as of the day and year first above written.

, Grantor

_____, Grantee

STATE OF MICHIGAN)
_____ COUNTY)

Acknowledged before me in _____ County, Michigan, on _____, 2025
by _____ (Grantor).

/s/ _____

Printed name:

Notary public, State of Michigan, County of _____.

My commission expires _____.

Acting in the County of _____.

STATE OF MICHIGAN)
_____ COUNTY)

Acknowledged before me in _____ County, Michigan, on _____, 2025
by _____ (Grantee).

/s/ _____

Printed name:

Notary public, State of Michigan, County of _____.

My commission expires _____.

Acting in the County of _____.

Drafted by and when recorded return to:
Scott Sewick (P54392)
Van Tubergen, Treutler & Hayes, PLLC
114 N. Third St.
Grand Haven, MI 49417
616-844-3000



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025	Title: Concur with CRC Recommendation									
Submitted by: Ann Meisch, City Clerk	Department: City Clerk									
Brief Summary: To concur with CRC recommendation to accept the resignation of Mike Gallavin from the Zoning Board of Appeals and of Karen Evans from the District Library Board and appoint Walt Kubanek to the Local Officer's Compensation Commission and Brandon Stewart to the Zoning Board of Appeals.										
Detailed Summary & Background: To accept the resignation of Mike Gallavin from the Zoning Board of Appeals as Resident with a term ending 1/31/2026; accept the resignation of Karen Evans from the District Library Board as Commission Appointment with a term ending 6/30/2027; appoint Walt Kubanek to the Local Officer's Compensation Commission as Citizen with a term ending 1/31/2032; and appoint Brandon Stewart to the Zoning Board of Appeals as Resident with a term ending 1/31/2026.										
<u>Goal/Action Item:</u>										
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:										
Amount Requested:	Budgeted Item: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">X</td> <td style="width: 15%;"></td> </tr> </table>	Yes		No		N/A	X			
Yes		No		N/A	X					
Fund(s) or Account(s):	Budget Amendment Needed: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 15%;">Yes</td> <td style="width: 15%;"></td> <td style="width: 15%;">No</td> <td style="width: 15%;"></td> <td style="width: 15%;">N/A</td> <td style="width: 15%;">X</td> <td style="width: 15%;"></td> </tr> </table>	Yes		No		N/A	X			
Yes		No		N/A	X					
Recommended Motion: To accept the resignation of Mike Gallavin from the Zoning Board of Appeals and of Karen Evans from the District Library Board and appoint Walt Kubanek to the Local Officer's Compensation Commission and Brandon Stewart to the Zoning Board of Appeals.										
Approvals: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Immediate Division Head</td> <td style="width: 10%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> </table>	Immediate Division Head			Information Technology			Other Division Heads			<u>Name the Policy/Ordinance Followed:</u>
Immediate Division Head										
Information Technology										
Other Division Heads										

Communication			
Legal Review			



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: August 12, 2025		Title: Designation of Voting Delegates for the Michigan Municipal League Annual Business Meeting																
Submitted by: Ann Meisch, City Clerk		Department: City Clerk																
Brief Summary: To designate, by action of the Commission, one of our officials who will be in attendance at the Convention as an official representative to cast the vote of the municipality at the Annual Meeting; and, if possible, to designate one other official to serve as an alternate.																		
Detailed Summary & Background:																		
<u>Goal/Action Item:</u>																		
Is this a repeat item?: Explain what change has been made to justify bringing it back to Commission:																		
Amount Requested:		Budgeted Item: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td>X</td> <td></td> </tr> </table>		Yes		No		N/A	X									
Yes		No		N/A	X													
Fund(s) or Account(s):		Budget Amendment Needed: <table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> <td>N/A</td> <td>X</td> <td></td> </tr> </table>		Yes		No		N/A	X									
Yes		No		N/A	X													
Recommended Motion: To appoint an official representative and alternate representative to be in attendance and to cast the vote of the municipality at the Annual Business Meeting of the Michigan Municipal League Convention.																		
Approvals: <table border="1"> <tr> <td>Immediate Division Head</td> <td></td> <td></td> </tr> <tr> <td>Information Technology</td> <td></td> <td></td> </tr> <tr> <td>Other Division Heads</td> <td></td> <td></td> </tr> <tr> <td>Communication</td> <td></td> <td></td> </tr> <tr> <td>Legal Review</td> <td></td> <td></td> </tr> </table>		Immediate Division Head			Information Technology			Other Division Heads			Communication			Legal Review			<u>Name the Policy/Ordinance Followed:</u>	
Immediate Division Head																		
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Legal Review																		

June 27, 2025

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held in Grand Rapids, September 17-19, 2025. The League's "**Annual Meeting**" is scheduled for 4:30 pm on Wednesday, September 17 in the Pantlind Ballroom at the Amway Grand Plaza Hotel. The meeting will be held for the following purposes:

1. **Election of Trustees.** To elect five members of the Board of Trustees for terms of four years each (see #1 on page 2).
2. **Policy.** A) **To vote on the Core Legislative Principles document.**

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <https://mml.org/resources-research/delegate/>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

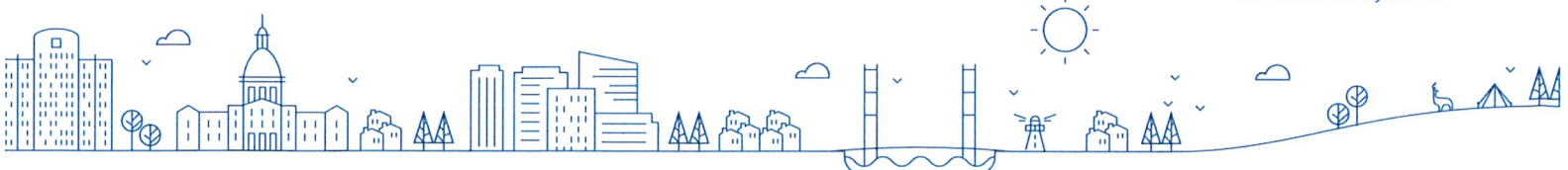
In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **August 17, 2025.**

3. **Other Business.** To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <https://mml.org/resources-research/delegate/> **no later than August 17, 2025.**

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

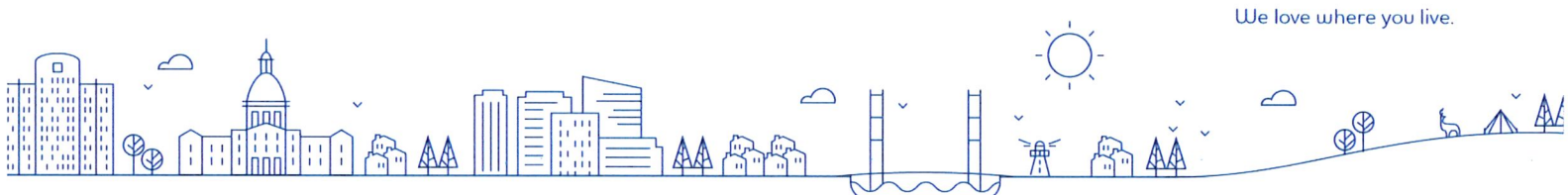
1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, five members of the Board of Trustees will be elected at the annual meeting for a term of four years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus, the deadline this year for the League to receive resolutions is **August 17, 2025**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, “Every proposed resolution submitted to the Board of Trustees by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or a modification thereof.



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, September 16, 2025, at the Amway Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



Donald Gerrie
President
Mayor, Sault Sainte Marie



Daniel P. Gilmartin
Executive Director & CEO

